

USDA Foreign Agricultural Service

# GAIN Report

Global Agricultural Information Network

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## Mexico

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### Food and Agricultural Import Regulations and Standards Mexico 2013

**Report Categories:**

Food and Agricultural Import Regulations and  
Standards - Narrative

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**Report Highlights:**

This report highlights changes made to various laws and norms published during 2013. Mexican regulations mentioned remain the same unless otherwise noted.

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## **Food Laws:**

### **SECTION I. FOOD LAWS**

The Mexican Bureau of Standards (Dirección General de Normas, DGN) 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 health, animal and plant health, and the environment. This law establishes the requirements for products, services, processes, raw materials, labeling, testing, packaging, facilities, and 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 (Economía) coordinates the regulatory process through its DGN. Although other Mexican federal agencies may develop regulations under their jurisdictions, they must work through Economía. Electronic versions of all valid NOMs are available on [Economía's](#) website. These NOMs are coded by subject and are revised every five years.

Additional laws directly applicable to imported food and agricultural product 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) the responsibility of issuing regulations related to human health. This law deals with all aspects related to the promotion and protection of human health. SALUD has the authority by law to require prior import authorization based on health risks. 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. SALUD 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](#)).

[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, and establish best practices in livestock production, slaughter, and meat processing facilities, of which it shares this responsibility with SALUD. The Law also authorizes SAGARPA to promote harmonization with international standards and to enter into equivalence agreements with other countries to enable the trade of animals and animal products or by-products. Zoosanitary requirements to import animals, products, and by-products are available online through the Zoosanitary Requirements Module ([Modulo de Consulta Requisitos Zoosanitarios de Importacion](#)). SAGARPA is also responsible for establishing a list of substances or products of which use of, or consumption by animals is prohibited, as well as determining maximum levels of contaminants.

[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. Phytosanitary requirements to import plant, fruit, and vegetable products are available online through the Phytosanitary Requirements Module ([Modulo de Requisitos Fitosanitarios](#)). The online system replaced the prior method of issuing Hoja de Requisitos Fitosanitarios (HRF's) and, as with the prior system, the importer is still responsible for complying with requirements.

The Federal Law on Biosafety – Under Mexico's Biosafety Law and its Implementation Rules, three different agencies 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 governments, industry, academic, and other public interests, as it prohibits genetically modified corn production in the areas determined as center-of-origin in 2012. The final map was published in the *Diario Oficial* in November 2012. A complete list of the regulations directly or indirectly related with biotechnology and biosafety are listed by CIBIOGEM [Normativity](#).

For more information please refer to the following GAIN Reports:

[MX 2082](#) Mexico Centers of Origin for Corn, Published in Federal Register

[MX 2072](#) Biotech Corn and Centers of Origin in Mexico

### **Labeling Requirements:**

#### **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 pre-packaged 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 Pre-packaged Foods and Non-alcoholic Beverages". NOM-051-/Salud1-2010 became effective on January 1, 2011, supersedes NOM-051-SCFI-1994 and applies to all products. The enforcement of the new [NOM-051](#), in its original Spanish edition found in this link, is monitored jointly by the Federal Consumer Protection Agency (PROFECO) which is part of Economía and COFEPRIS.

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.

#### **A. General Requirements**

There are two options for labeling. The original English container can be used as long as a Spanish sticker is attached that meets all the labeling requirements or the product can be packaged for the local Mexican market using Spanish. The first option is usually a better option for new-to-market products.

All information must be in Spanish. Information in English may appear on the label, but cannot be substituted for the information that is required to be in Spanish. In addition, if more than one language is used, the Spanish content must be in a font size that is equal or larger than those used for the other foreign languages. Stickers are permitted as long as they are attached in such a way that they remain attached until the moment of consumption under normal conditions.

Products cannot be sold in Mexico with the standard U.S. label only. They must follow the guidelines outlined in NOM-051. When a U.S. nutrition box appears on the package, a second nutrition box must be prepared which complies with all Mexican requirements and this box must be attached to cover the U.S. nutrition box.

Bulk products and those products used in the food service industry do not have to comply with this labeling regulation.

Please see attached photo:

Mandatory Labeling Requirements Required by NOM-051-SCFI-2010 include:

- Product Name/Product Description
- Brand Name
- Exporter's name and address
- Country of origin (Product from/de EE.UU.)
- Importer's name, address and RFC number (taxation number)
- List of Ingredients
- Net Content/Drained Mass
- Manufacturer and Importer's Information
- Batch Number
- Expiration Date: According to Codex International Regulations any dating system is accepted DD/MM/YY or MM/DD/YY
- Nutritional Information
- Products Sold in Multiple Packages: The information contained in NOM-051 must be located on the package, except for the batch number and the expiration date which must appear on each product. The package must include the statement "Not Labeled for Individual Sale".

Please see a translated English version of NOM -051 for additional information: NOM-051-SCFI-SSA1

## **B. Nutritional Labeling**

The NOM-051 now requires pre-packaged food to include nutrition information as a mandatory requirement. NOM-051 describes what needs to be included in the nutrition information panel

On the product label the term “Nutrition Facts” could be used instead of “Nutrition Information”.

The nutrition information can be presented the following way or in any other format as long as it includes all the required information as follows:

<b>Nutrition Information/Nutrition Facts</b>	<b>Per 100 or 100 ml o per serving or per package</b>
Energy content /Calories	Kj (kcal)/Cal (kJ)
Proteins	g
Fat (lipids)/Total Fat	g
Carbohydrates /Total Carbohydrates Sugars	g
Dietary Fiber	g
Sodium	mg
Additional Information	mg, µg, or % (required nutritional information)

According to NOM -051 no pre-packaged food or non-alcoholic beverage will be described or presented with false, wrong or misleading information, or in any other way that may drive the consumer to a misconception on the product’s nature.

The declaration of properties will be permitted to indicate that a food has acquired a special or superior nutritive value because of the addition of nutriment such as: vitamins, minerals, and amino acids only if such addition has been made based on the nutritional considerations according to the applicable law.

Also healthy and nutritional declarations might be permitted depending on the conditions presented. These are related to the caloric content, proteins, carbohydrates, fats (lipids) and derivatives, dietetic fiber, sodium, vitamins and inorganic nutriment (minerals), for which the Reference Nutritional Values have been established.

Properties Declarations will not be allowed when there is an intention to give the product characteristics that it does not contain or possess, nor declarations associated to the reduction or illness risk reduction.

NOM-086-SSA1-1994 - Food and Non-alcoholic beverages with modifications in its composition. Nutritional specifications - complement and support all of NOM-051.

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](#)
- MX3514 [FAIRS Certificate Report – Mexico – 2013](#)
- MX0318 [Additional Changes to Food Labeling Requirements NOM -051](#)
- MX0312 [Update on Revised NOM-051 Labeling Requirements](#)
- MX0505 [Mexico Revises Food Labeling Requirements](#)

## Front of Pack Nutrition Labeling

In September 2013, the Federal Commission Against Sanitary Risk (COFEPRIS), an agency of Mexico's Health Secretariat (SALUD), published a proposal of a Decree, which adds several provisions to the Regulation of Disease Control of Products and Services. (Spanish: Decreto Por El Que Se Adicionan Diversas Disposiciones al Reglamento de Control Sanitario de Productos y Servicios.) According to the proposal, all packaged products will have to have a label on the front of the package stating the total energy content of the product in kilocalories.

Local industry sources said that these new labeling requirements should be enforced by early 2014. However, the proposal states that food manufacturers shall have up to **one year** to comply with the new publication or face penalty, once the measure is published in Mexico's Federal Register. The regulations were published for internal consultation by COFEMER (Federal Regulatory Improvement Commission) on September 12, 2013. The document is still open for comments, but has not yet officially been published in the *Diario Oficial* or notified to the World Trade Organization. The proposed decree is not part of the NOM -051- Mexican Official Standard for General Labeling Specifications of Pre-Packaged Foods and Non-Alcoholic Beverages, which was last revised in 2011. However, the labeling provisions in the Regulation of Disease Control of Products and Services, if passed, will be mandatory and will apply to domestic and imported products.

For additional information please see report: GAIN Report MX 3312 Proposal For New Labeling Requirements

## 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 include special information on the labels. Some of them are:

All imported products destined for retail sale in Mexico must be labeled according to Mexican government specifications as outlined in **NOM-142-Salud1-1995, "Goods and Services. Alcoholic Beverages. Sanitary Specifications. Sanitary and Commercial Labeling."** (NOM-142-SSA1-1995 ETIQUETADO EN BEBIDAS ALCOHOLICAS.)

At a minimum, a label must be affixed to each package of the imported product prior to entering the country. All the information on the label must be in Spanish and must include at least the following mandatory commercial information required by NOM-051. 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”; (Phenylcetonurics: contains phenylalanine)
- 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)

NOM 142 applies to craft beer; please see attached a GAIN report on the Mexican market for craft beer where you can see an example of a typical label of a U.S. imported beer  
GAIN Report MX3316 Mexican Market for Craft Beer- Market Situation Update

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](#)

For milk and dairy products, it's important to also comply with **NOM-243 SSA1-2010** Products and Services, Milk, dairy formula, combined dairy product. Sanitary Specifications. Test Methods. Please see a link to the regulation here

The label of milk and dairy products has to comply with the requirements of NOM -051 NOM-051-SCFI/SSA1-2010 and also has to comply with the following:

- On the front of the label of packaged milk, milk formula, and combined dairy product has to declared the thermal treatment to which it was submitted, as other applied treatments to assure the food safety of the product
- Indicate the origin of the product. When in the manufacturing of these products, milk that is not cow milk is used. Specify source of milk
- For cheeses they must indicate the amount of butyric fat
- Products subject of this regulation, excluding ice cream, ice cream bases, and sorbet, must indicate the expiration date stating the day and month, as follows: “Fecha de Caducidad”
- On the label of pasteurized products they must include the legend “Mantengase o Consérvese en Refrigeración (Keep Refrigerated). In the case of ice cream, and sorbets it must include the

legend Keep Frozen (Mantengase en Congelacion)

- For ultrapasteurized products it must include the legend Keep in a dry and fresh place or Refrigerate after opening (Manténgase en un lugar fresco y seco or Refrigérese después de abrirse)
- The milk, milk formula, and combined dairy product fortified with Vitamin A or/and Vitamin D, respectively, the amount has to be included in following legends: “Contains \_\_µg of Vitamin D por L” or it “Contains \_\_µg of Vitamin D and \_\_µg retinol equivalents (Vitamin A)/L”

On March 14, 2011, Economía 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:

NOM-030-ZOO-1995 “Specifications and Procedures to Verify Imported Meat, Carcasses, Viscera and Offals at the Animal Health Verification Points”

NOM-034-Salud1-1993 “Goods and Services. Meat products. Packaged ground meat and molded ground meat. Sanitary Specifications”

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 as referred to in the HRZs:
- 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. They are also subject to general labeling requirements. According to SAGARPA officials, there are three NOMs related to the Biosafety Law being drafted this year, among them a labeling standard that will include general labeling specifications for genetically engineered seeds intended for planting, cultivation, and agricultural production. SAGARPA is preparing the document for public comments. Please refer to GAIN Report MX3061:

[MX3061](#) Mexico Agriculture Biotechnology Annual: Mexico Continues Forward with Biotechnology

**Organic Labeling:** Organic products are subject to general labeling requirements since there is no official labeling organic policy in place. The official logo for commercializing organic products in Mexico was just defined in October 2013. Please see “Organic Products” in Section VII below. New [organic guidelines](#) were published in 2013 and will be regulated by the [food safety directorate](#) within SAGARPA. Please see GAIN report [MX3313](#).

## **Labeling Procedures in Mexico Border Areas**

On March, 23, 2011, Economía 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 specification for pre-packaged food products and non-alcoholic beverages; Commercial and sanitary information, NOM 186-SSA1/SCFI-2002 products and services. Cocoa, products and derivatives. I. Cocoa .II. Chocolate .III. Derivatives. Sanitary specifications. Commercial Information, NOM 141-SSA1-1995 Products and services.

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

MX2501 [Simplified Procedures in Mexico's Border Areas](#)

MX9505 [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](#)

### **Packaging and Container Regulations:**

#### **SECTION III. PACKING 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.

### **Food Additive Regulations:**

#### **SECTION IV. FOOD ADDITIVE 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-Salud1-1995 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 as 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, SALUD published on July 17, 2006, a list of authorized additives, colorants, purified substances, enzymes, and synthetic flavors to be used as additives in food, beverages, and food supplements. (See GAIN reports MX6058 & MX6070.)

On July 16 2012, SALUD published in the *Diario Oficial* the new Agreement which determines the additives and others (colorants, enzymes, synthetic flavors) used in food, beverages and food supplements, its uses and sanitary dispositions with the purpose of reinforcing the food safety of edible products and the health of the consumers.

This agreement looks after the continuous evolution in the food technology field, and the food and beverage industry in Mexico. It establishes a reference list, which indicates the permitted and prohibited additives as well as the maximum and minimum levels of additives in food, beverages and food supplements.

Please see attached the food additives agreement- 2012 Additives Agreement  
Unfortunately, this document is only available in Spanish.

### **Pesticides and Other Contaminants:**

#### **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 (Economía)

The federal regulation on registration, import and export authorizations, and export certificates for pesticides, fertilizers, and toxic materials, lays out the procedures for pesticide registrations. SALUD,

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. SAGARPA 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. 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. The proposed rule would:

- Update the 1994 NOM (since revised in 1996 and 2001) and
- 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
- 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.

For additional information, please see:

MX1047 [GOM Accepting Comments for Proposed Rule Regarding MRLs for Animal Products](#)

### **Other Regulations and Requirements:**

#### **SECTION VI. OTHER REGULATIONS AND REQUIREMENTS**

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) which is responsible for providing verification, inspection, and certification services for the products subject to the regulations.

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>.

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.

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 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.

### **Aquatic Organisms**

In the case of aquatic organisms, the Accord mentions 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.

### **Dairy Products**

Effective November 26, 2010, the Mexican Government implemented NOM243Salud12010 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. This regulation is now in effect with sections 6.1.5.5 and section 6.1.5.5.1 in effect as of September 2011. Please refer to GAIN report MX0076 Mexican Regulation for Milk and Milk products.

### **Plant Products**

In 2013, SAGARPA announced the establishment of a new on-line system for issuing Hojas de

Requisitos Fitosanitarios (HRFs) for the importation of plants and plant products, such as fresh fruits and vegetables including potatoes, onions, mushrooms, apples, pears, peaches, cherries, some seeds, herbs, and grain meals. The new system was created to simplify administrative procedures and facilitate the trade of plant and vegetable products from the United States and other countries. The new on-line system replaced the prior method of issuing HRFs and went into effect in 2013. As with the prior system, the importer of record is still responsible for obtaining the HRFs for imported products. This system replaces many of the previous NOMS.

The on-line system for HRFs (Modulo de Requisitos Fitosanitarios) is now available at: [www.senasica.gob.mx/?id=5145](http://www.senasica.gob.mx/?id=5145)

Some of the information required for the application of an 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 accordance with current practices, compliance with these requirements is necessary to obtain an Import Phytosanitary certificate and is now in effect. For more information please consult [GAIN Report MX2008](#).

In order to ensure compliance with these requirements, SAGARPA 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.

Beginning in 2014, the importer can use a registered customs broker, customs agent, or go through a registration process to have a specific person at the company designated as the representative for customs issues. They will provide the Mexican agricultural inspectors the necessary documentation to prove the shipment meets the relevant HRF. 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.

### **Import Requirements Based on Public Health Risks (SALUD)**

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](#) 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,” or simply an import notification, “AVISO Sanitario de Importación,” 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 label in Spanish 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)**

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. 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, lists the tariff codes for which SEMARNAT has authority. Some wild animals and plant species, products and byproducts, aquatic species and products, and forestry products, among others are included on this list. Among some of the requirements that these products have to meet are the submission of CITES certificates and compliance with NOM-059-SEMARNAT-2001. They are subject to inspection at the point of entry. Importers and traders of products regulated by SEMARNAT must be registered with this agency.

For lumber, phytosanitary regulations published under NOM 016-SEMARNAT for the importation of wood products can be reviewed in the following GAIN report:

MX3020 [Phytosanitary Regulations for Lumber Importations](#)

### **Non-Import Regulations and Information**

#### **School Nutrition Guidelines**

On August 23, 2010, the *Diario Oficial* published an Agreement with the 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 Mexico.

#### **New Taxes and VAT**

In October 2013, the Mexican Government approved new taxes increasing the list of products which will be subject to Value Added Taxes among others. For more information, please view:

## [MX 3309 Conditions of Proposed 2014 Value Added Tax in Mexico](#)

Additionally, the government approved a new tax of 8% to be applied to foods with more than 275 calories per 100 grams, effective in 2014. Products to be affected include sugary beverages and snack foods. More information will be published in January when the rules on the tax applications will be released.

For other information please refer to the following links:

[Mexican Normas/NOMS](#)

[Hoja de Requisitos Zoosanitarios \(HRZs\)](#)

[SENASICA Website for all HRZs](#)

[Plant and Plant Products](#)

### **Other Specific Standards:**

#### **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**

Mexico does not make a distinction between food and feed approval, but rather SALUD approves both for animal and human consumption. Since 1995, there have been a growing number of genetically engineered commodities approved for food and feed. Corn is the species with more than 50 percent of the events approved for consumption.

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.

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 Economía, 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 120 biotechnology derived products (involving one or more events) have been authorized for human consumption in Mexico. The complete list can be consulted at the [National Information System of CIBIOGEM](#).

For additional information please read:

[MX3061 Mexico Agriculture Biotechnology Annual: Mexico Continues Forward with Biotechnology](#)

### **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.

Field testing of GE crops started in Mexico in 1988 and grew continuously with the participation of private and public institutions until 2005, when the Biosafety law was published. After that time only private institutions were able to comply with all the requirements; [CIMMYT](#) and [CINVESTAV](#) applied for field testing very recently. There are several factors that affect the timing for commercialization, the only crops that have reach commercialization are cotton and soybean, the first field test for both was carried out in 1995, for a Bt cotton and a RR Soybean. Following the development of a new regulation, the first commercial release permit for cotton was granted in 2010 and for soybeans in 2012. It is expected that GE corn will be the next commercial GE crop, but the final resolutions have been delayed. Particular information of the crops permitted for environmental release on different phases, the traits of the crops, area of the field release, and municipalities can be found on the [Mexican Register of GE organisms](#).

For additional information, please see:

[MX1056 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 Council 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 SAGARPA on organic production and commercialization.

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.

Finally in October 2013, SAGARPA, via its regulatory agency SENASICA, issued the long-expected revised organic production guidelines. These create Mexico's equivalent of the USDA National Organic Program, with production certifications, lists of approved pesticides and fertilizers, and marketing and labeling regulations. You can review these guidelines [here](#). Mexico's [food safety directorate](#) within SENASICA wrote these guidelines and is in charge of implementing and enforcing them.

MX3313: [New Organics Certification and Product Labeling Program in Mexico](#)

### **Grain Import Regulations**

No new changes to report.

### **Projected Regulatory Amendments**

Though no new regulations are in place for fresh potato imports, SAGARPA announced on October 14, 2013 through the *Diario Oficial* the agreement that establishes the proposed risk mitigation measures for potato imports into Mexico.

Please Refer to [Gain Report MX3073 Potato Risk Mitigation Measures Announced](#)

### **Yogurt**

On November 16, 2010 Economía issued a regulation for yogurt that established physical and chemical specifications, commercial information requirements and test methods to be used to verify these specifications. This NOM, PROY-NOM-181-SCFI 2010, applies to all yogurt sold in Mexico.

### **Copyright and/or Trademark Laws: SECTION VIII. Intellectual Property Rights Trademarks and Industrial Property**

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 its

implementing regulations. The Mexican Institute of Industrial Property (IMPI) <http://www.impi.gob.mx> an independent agency under the Ministry of Economy, is the administrative agency that is responsible for examining and registering patents and trademarks. IMPI also has limited enforcement authority and can conduct inspections, raids, and can temporarily suspend business that are not in compliance with Mexican IP law and regulations.

The U.S. 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, mitigate the risk that counterfeited and pirated goods have on consumers, and bring down IP-related barriers to improve market access for U.S. companies doing business in the Mexican market.

Trademarks are protected for ten years and can be renewed for an unlimited number of ten-year periods. Currently, IMPI does not have a trademark opposition system and thus trademark applications in Mexico are not subject to third party oppositions. Registrations are issued and can only be canceled post-registration. On average, an IMPI trademark cancellation proceeding takes two and a half years and the registrant is allowed to continue using the mark for one year following cancellation.

According to the U.S. Commercial Service, 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. Delays related to IPR enforcement proceedings are not just confined to administrative proceedings, lengthy delays are also common in judicial proceedings. For example, it can take 7-8 years to exhaust all administrative and judicial appeals to receive a final disposition on an IPR-related case.

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. 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, and 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.

SAGARPA <http://www.sagarpa.gob.mx> 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 fifteen 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.

### ***Copyright and Related Rights***

According to the U.S. Commercial Service, 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”) [www.indautor.gob.mx](http://www.indautor.gob.mx)

### **List of Required Export Certificates: 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). (We would never

advise an exporter to ship to Mexico without the use of an experienced custom broker.)

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 [2] 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. Sanitary/Phytosanitary Requirements for Plant and Animal Products

As noted earlier in the text, 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. Phytosanitary requirements to import plant, fruit, and vegetable products are available online through the Phytosanitary Requirements Module ([Modulo de Requisitos Fitosanitarios](#)). The online system replaced the prior method of issuing Hoja de Requisitos Fitosanitarios (HRF's) and, as with the prior system, the importer is still responsible for complying with 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.

### 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 Economía, 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 - 16%), port fees, and/or other special taxes placed on products such as wine/spirits. It is recommended that you seek advice from your importer regarding such duties. Any applied tariffs will need to be paid at this stage of the process.

## 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.

### **Author Defined:**

## **APPENDIX I. GOVERNMENT REGULATORY AGENCY CONTACTS**

### **COFEMER – Economía (Federal Commission for Regulatory Improvement):**

Mr. Alfonso Carballo Perez  
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Chargé of COFEMER, Director General  
Coordinador General de Mejora Regulatoria Sectorial y Director General Encargado de COFEMER  
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### **COFEPRIS – SALUD (Federal Commission for Sanitary Risks Protection):**



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## **SENASICA-SAGARPA**

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Mr. Hugo Fragoso Sanchez  
Director General of Agro Food, Aquaculture and Fishery Innocuity  
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Secretary: Silveria Perez ([silveria.perez@senasica.gob.mx](mailto:silveria.perez@senasica.gob.mx))

## **APPENDIX II. Other Import Specialist Contacts - Biotechnology**

Dra. Sol Ortiz  
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  
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<http://www.agrobiomexico.org.mx/index.htm>

### APPENDIX III. USEFUL MEXICAN IMPORT WEBSITES

Food and Agricultural Products Commercial Import Guide - [here](#)

Guide to Mexican Inspection Systems - [here](#)

Products of Animal Origin - [here](#)

Importation of Food and Agricultural Products - [here](#)

Importation of Regulated Food Products - [here](#)

### APPENDIX IV. LIST OF MEXICAN FOOD AND AGRICULTURE REGULATORY AGENCIES

AGENCY NAME	ACRONYM	NAME IN ENGLISH	NAME USED IN FAIRS REPORT
Secretaría de Economía	SE	Ministry of the Economy	ECONOMÍA
Dirección General de Normas	DGN	General Directorate of Standards	DGN
Secretaría de Salud	Salud	Ministry of Health	SALUD
Comisión Federal para la Protección Contra Riesgos Sanitarios	COFEPRIS	Federal Commission for the Sanitary Risk Protection	COFEPRIS
Secretaría de Agricultura, Ganadería, Desarrollo Rural, Pesca y Alimentación	SAGARPA	Ministry of Agriculture, Livestock, Rural Development, Fisheries and Food	SAGARPA
Servicio Nacional de Sanidad, Inocuidad y Calidad Agroalimentaria	SENASICA	National Service of Health, Food Safety and Agro Food Quality	SENASICA
Dirección General de Salud Animal	DGSA	General Directorate of Animal Health	DGSA
Dirección General de Sanidad Vegetal	DGSV	General Directorate of Plant Health	DGSV
Dirección General de Inspección Fitozoosanitaria	DGIF	General Directorate of Phytozoosanitary Inspection	DGIF
Director General de Inocuidad Agroalimentaria, Acuícola y Pesquera	DGIAAP	General Directorate of Food Safety, Aquaculture and Fishery	DGIAAP
Comisión Intersecretarial para el Control del Proceso y Uso de Plaguicidas, Fertilizantes y Sustancias Tóxicas	CICLOPAFEST	Inter-secretariat Commission for the Control of Process and Use of Pesticides, Fertilizers and Toxic Substances	CICLOPAFEST
Secretaría del Medio Ambiente y Recursos Naturales	SEMARNAT	Ministry of the Environment and Natural Resources	SEMARNAT
Dirección General de Vida Silvestre		General Directorate of Wildlife	

Secretaría de Hacienda y Crédito Público	SHCP	Ministry of Finance and Public Credit	HACIENDA
Procuraduría Federal del Consumidor	PROFECO	Federal Consumer Protection Agency	PROFECO
Instituto Mexicano de la Propiedad Industrial	IMPI	Mexican Institute of Industrial Property	IMPI
Comisión Federal de Mejora Regulatoria	COFEMER	Federal Commission for Regulatory Improvement	COFEMER
Comisión Intersecretarial de Bioseguridad de los Organismos Genéticamente Modificados	CIBIOGEM	Inter-Secretarial Bio-safety and GMO Commission	CIBIOGEM

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