

Required Report: Required - Public Distribution

Date: November 05, 2024

Report Number: MX2024-0047

Report Name: FAIRS Country Report Annual

Country: Mexico

Post: Monterrey ATO

Report Category: FAIRS Country Report

Prepared By: Eduardo Lozano

Approved By: Daniel Archibald

Report Highlights:

This document provides an overview of major Mexican agricultural and food-product laws and regulations, as well as related import standards and regulations. Some products may be subject to regulatory oversight by several different Government of Mexico (GOM) agencies. Post recommends that U.S. food and agricultural exporters work with experienced and established customs brokers and importers.

Disclaimer:

This report was prepared by the Agricultural Trade Office (ATO) in Monterrey, Mexico, for U.S. exporters of domestic food and agricultural products. While every possible care has been taken in the preparation of this report, information provided may not be completely accurate either because policies have changed since its preparation, or because clear and consistent information about these policies was not available. It is highly recommended that U.S. exporters verify the full set of import requirements with their foreign customers, who are normally best equipped to research such matters with local authorities, before any goods are shipped. FINAL IMPORT APPROVAL OF ANY PRODUCT IS SUBJECT TO THE IMPORTING COUNTRY'S RULES AND REGULATIONS AS INTERPRETED BY BORDER OFFICIALS AT THE TIME OF PRODUCT ENTRY.

Table of Contents

- Section I. Food Laws
- Section II. Labeling Requirements
 - A. Other Specific Labeling Requirement(s)
- Section III. Packaging and Container Regulations
 - A. Packaging Sustainability Measures
- Section IV. Food Additive Regulations
- Section V. Pesticide and Other Contaminants
- Section VI. Other Requirements, Regulations, and Registration Measures
- Section VII. Other Specific Standards/Laws
 - A. Plant-Based Meat and/or Dairy Alternatives
 - B. SADER Import Requirements for Plants and Animals
 - C. Novel Foods (Bioengineered)
 - D. Organic Products
 - E. Agricultural and Food Samples
- Section VIII. Geographical Indicators, Trademarks, Brand Names, and Intellectual Property Rights
- Section IX. Import Procedures
- Section X. Trade Facilitation
- Appendix I. Government Regulatory Key Agency Contacts
- Appendix II. Other Import Specialist Technical Contacts

Executive Summary

The government of Mexico has four agencies who regulate the importation of agricultural goods and products: the Secretariat of Agriculture ([SADER](#)), Secretariat of Health ([SALUD](#)), Ministry of Environment and Natural Resources ([SEMARNAT](#)), and the Secretariat of the Treasury and Public Credit ([HACIENDA](#)). The harmonized system (HS) categorization of the products determines which agency has regulatory responsibility. In some cases, more than one agency may regulate product importation, which customs brokers must include in the required documentation charge.

This report's Section I. provides information on Mexico's Law for Organic Products ([LOP](#)). At the time of this report, there are no important developments to the laws since the previous year's report. However, it is important to remind the reader that the second phase of the regulation for Processed Foods and Non-Alcoholic Beverages-Commercial and Sanitary Information ([NOM-051](#)) ends on September 30, 2025, and that the third phase will be implemented on October 1, 2025. This report's Section II on Labeling Requirements provides additional details.

Section I. Food Laws

The General Directorate for Standards ([Dirección General de Normas](#)) of the Mexican Secretariat of Economy ([ECONOMÍA](#)) is responsible for coordinating the standardization and conformity assessment system. The provisions fall under the [Quality Infrastructure Law](#), formerly known as the Federal Metrology and Standardization Law and its Regulations, promoting industrial competitiveness and commerce at the national and international levels. The [Law](#) defines the Mexican Secretariats and GOM agencies required to develop standards or *Normas Oficiales Mexicanas* (NOMs).

NOMs are technical regulations which contain information on the requirements, specifications, procedures, and methodologies designed to protect the welfare of its residents, animals, plants, and the environment. GOM agencies must revise NOMs at least every five years. Whenever NOMs are amended and/or are withdrawn, this information must be published in the *Diario Oficial de la Federación* ([DOF](#)) equivalent to the U.S. Federal Register. Electronic versions of current NOMs are available in Mexico's Comprehensive Standards and Conformity Assessment System ([SINEC](#)).

Import laws applicable to agricultural and food products are included under the General Health Law, the Federal Animal Health Law, and the Federal Law for Plant Health. The General Law on Sustainable Forestry Development regulates importing forest products and by-products into Mexico.

[General Health Law](#): The Secretariat of Health ([SALUD](#)), through its operating arm, the Federal Commission for Protection against Sanitary Risks ([COFEPRIS](#)), implements and enforces sanitary regulations to protect the population against health risks. Based on health risks, COFEPRIS determines if imported food products require an import permit, which the importer must apply for in advance. COFEPRIS randomly inspects food products at the point of sale, verifying compliance with food labeling regulations, as well as conducting product samples to guarantee wholesomeness for human consumption. Products which require import permits include dairy and dairy products, seafood and seafood products, and some dietary products. At the time of this report, the most recent [list of products requiring import-permits](#) by SALUD is the one published on December 26, 2020, in the DOF "Products Subjected to Sanitary Compliance by SALUD."

[Federal Animal Health Law](#): According to Mexico's Secretariat of Agriculture and Rural Development's (SADER), this law's stated objective is to establish necessary animal health measures to safeguard Mexico's livestock assets/heritage. These measures include applying best management practices for livestock production, regulations for national and international transit of animals and animal products, and the operation of privately-owned verification and inspection points for animals and animal products. This Law also covers good manufacturing practices (GMP) applicable for establishments dedicated to producing chemical, pharmaceutical, or biological compounds for use in animals or feed; and GMPs for animal and animal products for human consumption. Access SADER's National Service for Health, Food Safety, and Food Quality (SENASICA) manuals [here](#). Regulations for imports, international transit, and exports fall under Title Three, Chapter II of the Law. [SENASICA](#) is responsible for implementing and enforcing the regulations. SENASICA's specific import requirements for live animals, animal products and by-products, and seafood are known as zoosanitary requirement sheets or *Hojas de Requisitos Zoosanitarios (HRZ)*. Visit SENASICA's [Módulo de Consulta de Requisitos para la Importación de Mercancías Zoosanitarias](#) to review their regulatory requirements. The law authorizes SADER to oversee pet and animal feed, regulate feed additives and pharmaceuticals used in livestock production, and determine their maximum residue levels (MRLs).

[The Federal Law for Plant Health](#): This law also falls under the purview of SADER. Topics covered under the Law include pest identification and measures to prevent pests' introduction that could harm plant health and their by-products. Phytosanitary requirements for importing regulated goods and the provisions covering inspection and certification of imported goods fall under Title Four, Chapter III, and Chapter IV. SENASICA is responsible for implementing and enforcing regulations of the Law. The specific import requirements for plant and plant products are found online in SENASICA's [Módulo de Consulta de Requisitos Fitosanitarios para la Importación de Mercancía de Origen Vegetal](#).

[The General Law on Sustainable Forestry Development](#): This law is applied under the Ministry of Environment and Natural Resources (SEMARNAT). It regulates and promotes conservation, restoration, organization, development, management, and exploitation of its forestry ecosystems and resources. It also safeguards forest products and by-products, including wood packaging material used for transporting goods. The regulations fall under Chapter III, Articles 129 through 139. Specific import requirements for wood packaging materials, Christmas trees, wood by-products used as raw material in basketry, and sawn wood under SEMARNAT's purview:

- Wood Packaging Materials: [NOM-144-SEMARNAT-2017](#)
- Christmas trees: On November 12, 2020, SEMARNAT published modifications to NOM-013; edits appear in [NOM-013-SEMARNAT-2020](#). The significant changes include the incorporation of four quarantine insects: *Pissodes fasciatus*, *Polistes dominula*, *Sciopithes obscurus*, and *Steremnius carinatus*; and a statement in the phytosanitary certificate, issued by APHIS or state departments of agriculture, "trees have been inspected, chemically treated, mechanically agitated, and are free of quarantine pests per [NOM -013-SEMARNAT-2020](#)."
- Wood by-products used as raw material: [NOM-029-SEMARNAT-2003](#)
- Sawn Wood: [NOM-016-SEMARNAT-2013](#)

The Federal Prosecutor for Environmental Protection ([PROFEPA](#)) is SEMARNAT's operating arm and is responsible for enforcing the regulations at ports of entry (POE). For additional information on Christmas trees and lumber regulations, please visit USDA's Foreign Agricultural Service [database](#).

[Law on Biosecurity of Genetically Modified Organisms](#): This law is applied under the Inter-secretarial Commission of Biosafety of Genetically Modified Organisms ([CIBIOGEM](#)). The commission includes [SADER](#), [SEMARNAT](#), [SALUD](#), the Ministry of Finance and Public Credit ([HACIENDA](#)), Ministry of Public Education ([EDUCACION](#)), [ECONOMIA](#), and the National Council for Science and Technology ([CONACYT](#)), each with their respective fields of competence. The Law on Biosecurity of Genetically Modified Organisms regulates the import, export, commercialization, research, and release of genetically engineered (GE) products into the environment. Additional second-tier regulations are found under the Law at [Regulations for Law on Biosecurity of Genetically Modified Organisms](#).

[Law for Organic Products](#) (LOP): This law provides rules and regulations to protect consumers and promotes production and consumption of organic products in Mexico. LOP regulations apply from the production to the commercialization of organic products. Under this law, products must fulfill certain criteria to be considered as organic. For example, organic products must be grown free of the use of pesticides, chemical fertilizers or synthetic chemicals. In addition, organic growers must obtain organic certification to market their products as organic.

To learn more on how to meet the requirements of the law, and to review the manual on graphic identity for the national organic products seal, please visit SENASICA's [web site](#).

Section II. Labeling Requirements

Product labeling requirements for pre-packed foods, non-alcoholic beverages, consumer-ready products, raw materials not destined for the final consumer, and bulk merchandise for sale is regulated under the Processed Foods and Non-Alcoholic Beverages-Commercial and Sanitary Information ([NOM-051](#)). NOM-051 entered into force on January 1, 2011, and was last amended on March 27, 2020. NOM-051 is jointly enforced by the Federal Consumer Protection Agency ([PROFECO](#)), part of the Ministry of Economy, and by COFEPRIS. Mexican importers and customs brokers responsible for clearing products must ensure that products adhere to NOM-051. U.S. exporters should communicate closely with their Mexican importer regarding proper labeling and related requirements.

The original label in English may remain on the package if an additional one in Spanish is affixed. In other words, adhesive tags/stickers with information in Spanish are permitted if they remain adhered to the package until product reaches the end consumer. In addition, if the labels contain more than one language, Spanish content must be in a font size equal to or larger than those used for other languages. When a U.S. nutrition panel appears on the package, a second panel must be in Spanish, affixed over the U.S. nutrition panel.

Mandatory labeling requirements under NOM-051-SCFI-2010 include:

- Product Name/Product Description
- Brand Name
- Exporter's name and address
- Country of origin (*Producto 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 General Standard for the Labeling of Prepackaged Foods](#), approved dating systems DD/MM/YY or MM/DD/YY
- Nutritional Information
- Products Sold in Multiple Packages: The information in NOM-051 indicates that the data's location on the outer package, except for the batch number and the expiration date, displaying it on each package. The individual package must include the statement "Not Labeled for Individual Sale."

On October 1, 2019, Mexico's Lower Chamber amended the General Health Law pertaining to obesity and labeling of food and non-alcoholic related issues, including modifications to NOM-051-SCFI-/Salud1-2010 ([NOM-051](#)). The regulation provides three progressive phases to comply with the calculation and assessment of values related to complementary nutritional information. Fulfillment of the third final phase is to be verified as of October 1, 2025.

[Assessment Phases for the Front Labeling System](#)

Phase 1: from October 1, 2020, to September 30, 2023.

Phase 2: from October 1, 2023, to September 30, 2025.

Phase 3 comes into force on October 1, 2025. This phase stipulates full compliance of the calculation and assessment of additional nutrient content set in section 4.5.3 and Table 6 (Complementary Nutrient Content Statement) in NOM-051. For the complete framework of modifications to NOM-051 please review the [2023-FAIRS Annual Country Report Annual](#).

A. Other Specific Labeling Requirement(s)

On March 23, 2011, the Secretariat of Economy published a labeling assessment for food and agricultural products shipped and commercialized in the 20-kilometer border area, verifying compliance with NOM-051-2010. U.S. exporters may find this [assessment](#) beneficial when shipping products to those areas.

Bulk shipments requiring labeling apply to products where work plans were developed through a pest risk analysis and agreed between APHIS and SENASICA. A clear example includes stone fruit transported in large containers (e.g., one-ton combo bins). Labels for these products must contain the following information: product's name, country of origin, name, and address of the facility from where it originated, exporter name, and net weight or number of units (e.g., individual pieces of fruit) in the full shipment. This quantity should correspond to the amount listed on the APHIS phytosanitary export certificate.

C. Biotechnology Labeling

The [Biosafety Law](#) does not require the labeling of packaged foods or feeds, to be equivalent to the conventionally produced commodities, but compulsory for planting seeds. Labeling information should include a statement that the planting seeds derive from genetically engineered organisms, the genetic characteristics, implications concerning special conditions and requirements, and changes in reproductive and productive features.

On April 17, 2024, the GOM enacted the [General Law on Adequate and Sustainable Food](#) regulating the labeling of products containing ingredients derived directly from genetically modified organisms. For detailed information please read Article 21 of this Law.

D. Organic Labeling

At the time of this report, negotiations between the U.S. and Mexico to establish organic equivalence continue. U.S. organic products exported to Mexico must be labeled according to Mexico organic labeling requirements. These products may display the USDA organic seal if they are certified to the USDA organic [regulations](#) and/or the Mexico organic seal as long as they are certified to Mexico's LPO. For labeling purposes, the terms "organic," "ecological," "biological," and prefixes like "bio" and "eco" are all considered synonyms under Mexico's LOP. To learn more on how to meet the requirements of the law, and to review the manual on graphic identity for the national organic products seal, please visit SENASICA's [web site](#).

Section III. Packaging and Container Regulations

The General Health Law authorizes SALUD to regulate food, alcoholic and non-alcoholic beverages, and tobacco packaging. Manufacturers and distributors who manufacture or use metal containers for food and beverages must comply with [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.

A. Packaging Sustainability Measures

On June 25, 2019, a Decree that reforms and adds several provisions to the "[Ley de Residuos Sólidos del Distrito Federal](#)/Federal District Solid Residues Law/Solid Waste Law of Mexico City" was published in the [Gaceta Oficial de la Ciudad de México](#). The dispositions in the [Decree](#) entered into force in Mexico City on June 26, 2019. Prohibitions for the utilization of non-compostable single use plastic items appear under Article 25. XI of the Decree. The prohibition to distribute, commercialize, and to offer non-compostable plastic bags to consumers at points of sale of goods and products came into effect at the beginning of 2020. On January 1, 2021, the prohibition to distribute, commercialize, and provide single-use, non-compostable items including cutlery, cups, plates, trays, straws, and other products manufactured totally or partially with plastic, and designed for disposal after a single use, came into force. The prohibitions were also implemented on January 1, 2021, for single-use plastic coffee capsules and for items manufactured with micro plastics.

On November 18, 2021, Mexico's Senate presented to the Chamber of Deputies a decree project to reform and add dispositions to Mexico's Federal Law "[Ley General Para la Prevención y Gestión Integral de Los Residuos](#)." Within ninety days from the day of entry of the Decree each State Government must make changes to the corresponding State laws to comply with the Decree. For complete information on the decree project please visit the Cámara de Diputados [website](#) and review Parliamentary Gazette 5912-II dated 11/23/2021.

Section IV. Food Additive Regulations

SALUD, through COFEPRIS, regulates the use of additives in the preparation of food for human consumption. On July 16, 2012, SALUD published a [guideline](#) that determines additives and other substances (colorants, enzymes, synthetic flavors) used in food, beverages, and food supplements; their uses; and sanitary guidelines to reinforce the food safety of edible products and the health of the consumers. This document, which was [updated](#) in 2016, references permitted and prohibited additives and the maximum and minimum levels of additives in food, beverages, and food supplements. The current changes, which are valid but remain unannounced, may be accessed on the COFEPRIS [website](#).

[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 admissible amounts.

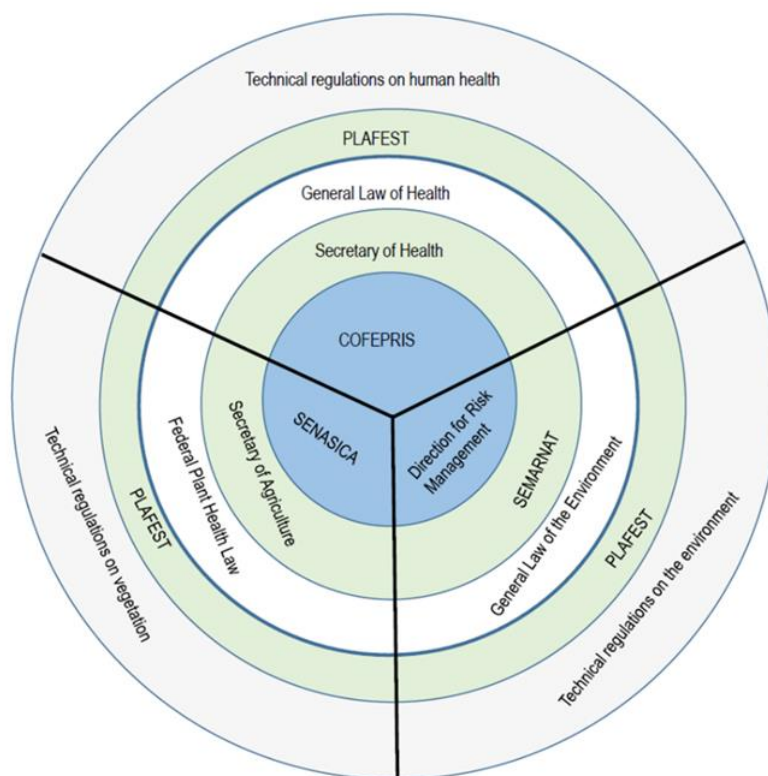
[NOM-213-Salud1-2002](#) addresses the sanitary specifications for processed meat products. It includes a list of permitted additives subject to best manufacturing practices and a list of additives and their established maximum levels.

Section V. Pesticide and Other Contaminants

The Inter-Secretariat Commission for the Control Process and Use of Pesticides, Fertilizers, and Toxic Substances ([CICOPLAFEST](#)) governs pesticide use in Mexico. Although it is not a formal regulatory body, the "Commission" coordinates the GOM's actions on pesticides through the secretariats of SALUD, SADER, and SEMARNAT, each with a defined regulatory function for evaluating the pesticide, including imports and exports. Information on the agencies' roles in the process can be found in Article 3 of the Federal Regulation on Registration, Import and Export Authorization, and Export Certificates for Pesticides, Fertilizers, and Toxic Materials ([DOF 28-12-2004](#)). The regulation establishes the procedures for pesticide registrations. Through COFEPRIS, SALUD authorizes registrations, issues pesticide-free certificates, and grants import permits. SEMARNAT provides technical opinions regarding the protection of the environment. In contrast, SADER provides technical support regarding pesticides and fertilizers' biological effects and on phytosanitary aspects of maximum residue levels. The federal regulation on registration, import and export authorization, and export certificates for pesticides, fertilizers, and toxic materials lays out the procedures for pesticide registrations. Through COFEPRIS, SALUD is responsible for authorizing registrations, issuing free sale certificates for pesticides, and granting import permits. For detailed information, visit the COFEPRIS [website](#).

On February 4, 2020, ECONOMIA updated the "Agreement that Modifies the Classification and Codification of Merchandise Whose Import and Export is Subject to Regulation by the Inter-Secretariat Commission for the Control Process and Use of Pesticides, Fertilizers and Toxic Substances." See [here](#) for details. To visualize how the different GOM authorities interact in the regulatory process for pesticide registration, please see Figure 1 below.

Figure 1. Authorities, Laws, and Regulations in Pesticide Registration in Mexico



On August 11, 2015, SADER published in the DOF [modifications](#) to the official standard NOM-032-FITO-1995, which establishes requirements and specifications to prepare studies on pesticide efficacy, including a Biological Effectiveness Report. Pesticides must undergo a field trial evaluation to determine their effectiveness and performance in Mexico. The information analyzed in the report must be science-based and grounded in good laboratory practices.

On October 9, 2014, SADER consolidated its regulation of MRLs for animal and fishery products by canceling the existing NOMs and publishing a new regulation in the DOF outlining the establishment of animal product MRLs. For more information, visit SENASICA's [website](#).

Section VI. Other Requirements, Regulations, and Registration Measures

While no facility registrations are required by the GOM, exporters of certain products must comply with the applicable Mexican import regulations, which include being a USDA-approved facility in the case of animal proteins, for example. Please refer to the Mexico FAIRS Export Certificate Report to determine which U.S. authority pertains to a certain product, and if facility registration is a requirement for the export of that product.

The Mexican importer of record has the responsibility to obtain import permits for products that require a permit from [COFEPRIS](#). This permit allows importers to introduce into Mexican territory food, food supplements and non-alcoholic beverages that comply with Mexican current sanitary legislation, for their commercialization, distribution, and for further food production processes. Upon product arrival to

Mexican territory the customs broker responsible for clearing the product must present the corresponding Certificate of Analysis (COA). In general, COAs must include physical, chemical, and microbiological analysis by an accredited laboratory in the country of origin, per product lot in the consignment. However, depending on the product to be imported, specific analysis must be submitted, as appropriate. For edible fishery products from contaminated seas (e.g. North Sea): analysis or determination of heavy metals (lead, arsenic, cadmium and mercury). For fresh and frozen edible fishery products from Central American, South American, and Asian countries where infection with *Vibrio cholerae* occurs analysis or determination of *Vibrio cholerae*. For edible oils and fats: analysis or determination of Peroxide Value. For food products from countries or zones affected by nuclear accidents: certificate indicating a maximum of 370 (three hundred and seventy) bequerels per kilogram of radioactive contamination for milk intended for human consumption, dairy products and food products intended for infants during the first four to six months of life and a maximum of 600 (six hundred) bequerels per kilogram for all other agricultural products intended for human consumption. See this [DOF publication](#) for a complete list of products requiring import permits from COFEPRIS. Current cost of the import permit is \$6,220.00 Mexican pesos and the time to receive a response is 5 working days once the information requested by COFEPRIS has been submitted. Detailed information can be found [here](#). Products subject to SALUD's health regulations were modified several times in [2015](#), [2016](#), and [2018](#).

Section VII. Other Specific Standards/Laws

Food and agricultural products exported to Mexico are subject to documentary and physical inspection at a port of entry to ensure the proper implementation of import requirements.

A. Plant-Based Meat and/or Dairy Alternatives

Like many countries, Mexico is a growing market for existing and emerging plant-based meat and dairy alternatives. Labeling regulations for such products can be found in the amendments to the Mexican Official Standard NOM-173-SE-2021-Denominations-Specifications-Commercial Information and Test Methods for Prepackaged Non-Alcoholic Beverages with Fruit or Vegetable Content. For detailed information on NOM-173, and for NOM-051 labeling regulations for food that must be labeled as "IMITACIÓN/Imitation" please read Section II of this paper. The ATO in Monterrey is neither aware of other applicable regulations nor initiatives currently in Mexico's Congress for the regulation of Plant-Based Meat and/or Dairy Alternatives.

B. SADER Import Requirements for Plants and Animals

As noted above, imports of live animals (including aquatic) and plants, animal and plant products, and by-products must comply with SADER requirements, as enforced through SENASICA. SENASICA inspectors at the port of entry ensure that agricultural and food products imported into Mexico comply with applicable requirements. Current import regulations for animals, animal by-products, and plants are included on SENASICA's online system:

- [Animal and animal by-products](#)
- [Plant and plant products](#)

C. Novel Foods (Bioengineered)

Mexico's biotech regulation is the [Biosafety Law](#), which was published in the DOF in March 2005. This law regulates the research, production, and marketing of GE and GE-derived products. Mexico's [Biosafety Law and its Implementation Rules \(Bylaws\)](#) are designed to promote the safe use of

modern biotechnology and prevent and control the possible risks associated from the use and application of biotechnology products to human health, plant and animal health, and environmental well-being. Mexico does not make a distinction between food and feed approvals, COFEPRIS is responsible for approving genetically engineered products for consumption. From 1995 to 2018, COFEPRIS approved 181 GE commodities for food and feed. For consumption authorizations, the Biosafety Law established that the Secretariat of Health through COFEPRIS has a maximum of 6 months to make a ruling after receiving the completed application. The list of received applications must be published in Mexico's [National Register of Biosafety \(NRB\)](#). Since May 2018, COFEPRIS has not published new approvals for GE food or feed product applications.

On December 31, 2020, Mexico published a [decree](#) in the DOF calling to phase-out the use of glyphosate and GE corn for human consumption in Mexico. The decree states that GE corn and glyphosate will be phased out over the next three years and replaced by “sustainable and culturally appropriate” alternatives. During the transition period, glyphosate will not be used in any government-sponsored programs. Also, according to the decree, any cancelations of existing GE approvals, or non-approval of new GE corn applications must be transparent, science-based, and must consider Mexico's corn self-sufficiency status in corn production. Currently Mexico imports about 40 percent of its total corn needs. According to the December 31 decree, GE corn for human consumption will be phased out no later than January 31, 2024 (see 2021 [GAIN report](#) on Agricultural Biotechnology).

D. Organic Products

Mexico's new certification requirements for bulk/raw organic product imports entered into force on January 1, 2022. The list of affected products, listed by harmonized tariff system code (HTS) were published in December 2020. Processed products are also subject to the requirements in the Mexican Organic Products Law (LPO) to be marketed/sold as organic in Mexico.

E. Agricultural and Food Samples

Mexico requires that imported samples meet the same regulations as commercial shipments. Post encourages readers to contact their Mexican counterparts for additional information. Imports of product samples for animal use or consumption fall under the importing establishment's responsibility or distributors approved by SENASICA. Please refer to the guidelines established for products for animal use or animal consumption. Food, food supplements, and non-alcoholic beverages not approved for commercialization in Mexico can be imported as samples or for personal consumption through the issuance of an import license and following current sanitary legislation and other applicable import requirements. Please follow the guidelines defined for products for human consumption.

Section VIII. Geographical Indicators, Trademarks, Brand Names, and Intellectual Property

The Mexican Institute of Industrial Property ([IMPI](#)), protects products elaborated through traditional processes, which are linked to customs of specific geographical areas and that are recognized as having an important historic and cultural heritage as well as geographical indicators, that identify a product as being from a specific region, or locality in the country, when its quality, reputation or other attributes are due to its geographical origin. For more information regarding geographical indicators please consult Chapter 1-Article 36 of the [Federal Law of Industrial Property](#).

Trademarks, patents, and industrial designs are considered "Industrial Property" in Mexico. The safeguards fall under Mexico's Law of Industrial Property ([*Ley Federal de Protección a la Propiedad Industrial*](#)). Trademarks are protected for ten years and can undergo a renewal process for an unlimited number of ten-year periods. Trademark applications in Mexico are not subject to legal challenges. Once trademark registrations are issued, these cancel out post-registration. On average, it takes two and a half years to cancel a trademark registration, and the registrant can use the mark for a year following cancellation. Companies interested in registering a trademark must contact the Mexican Institute of Industrial Property ([**IMPI**](#)), an independent agency under the Secretariat of Economy. U.S. exporters of food and agricultural products may contact the Office of Agricultural Affairs or the Agricultural Trade Office with intellectual property concerns.

Section IX. Import Procedures

Mexican customs brokers are responsible for clearing imported products through Mexican customs. Mexican importers are encouraged to work with a customs broker experienced in clearing agricultural products to avoid problems during the export-import process. The Mexican Internal Tax Registry ([*Servicio de Administración Tributaria*](#)) authorizes brokers to handle customs clearance operations. Mexican importers must also register with the Mexican Customs Authority; registered companies appear in its Importers' Database ([*Padrón de Importadores*](#)).

The documentation that a Mexican customs broker needs to clear shipments include:

- Commercial Invoice or Bill of Sale
- Required Sanitary and Phytosanitary Certificates (issued either by the Animal and Plant Health Inspection Service (APHIS) or the Food Safety and Inspection Service (FSIS), or any other relevant U.S. government regulatory authorities)
- Certificate of Origin
- 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 Import Declaration ([*Pedimento de Importación*](#)) based on the provided information. Other documentation required in the export process could include:

- Electronic filing - Electronic Export Information ([**EEL**](#)) (Required by U.S. Customs for all shipments over USD 2,500.00)
- USDA Export Certificate accompanied by corresponding Letterhead Certificate
- Free Sale Certificate
- Export Packing List
- Bill of Lading

As previously noted, certain products require an import permit from COFEPRIS and must include a certificate of analysis. See Section VII for more details. The Mexican importer is responsible for notifying the U.S. exporter about sanitary and other requirements before shipment. The notification enables the U.S. exporter to meet all requirements (e.g., AMS, APHIS, and FSIS certification). For

information on certificates issued by U.S. government agencies, visit USDA's Foreign Agricultural Service [database](#) and read the most recent Food and Agricultural Import Regulations and Standards Certificates Report.

The documents mentioned are subject to specific regulations, so please look for specific product requirements by tariff code before exporting the products into Mexico. Additionally, it is essential to know your product's tariff code to check if tariffs apply or under commodity-specific tariff rate quotas. If tariffs apply, knowledge will reduce delivery time, storage fees, and food decay, resulting in increased margins.

Section X. Trade Facilitation

USDA-SADER Workplans: USDA and SADER/SENASICA collaborate to facilitate trade. Work plans and agreements between APHIS and SENASICA enable U.S. exports of apples, stone fruits, cherries, grapevine, and propagating material for berries. To review a specific work plan for these products, visit SENASICA's [website](#). These work plans, as a negotiation between the governments of the United States and Mexico, and specifically between USDA/APHIS and SADER/SENASICA, establish phytosanitary fundamentals in which the importing country determines corresponding requirements to import the products in the agreement. In Mexico, the work plans are evaluated and implemented by SADER and are generally not open for public comment by industry or other stakeholders.

SENASICA Inspection Process and Inspection Infrastructure: In addition to joint efforts between USDA and SADER, SENASICA continues to modernize and standardize its inspection import procedures at POE, improving trade facilitation, thus reducing costs.

To facilitate importation at commercial POEs, SENASICA officials carry out inspection, verification, and certification functions for animal, plant, aquaculture, and fisheries products in Mexican territory at SENASICA approved privately owned verification and inspection points. However, inspection of livestock, plant, and plant products may occur at SENASICA approved verification and inspection points located on the border's U.S. side. These points establish their fees for product handling and maneuvers, which the importer pays. Visit SENASICA's [website](#) for more information on the inspection infrastructure.

Food and agricultural trade between the United States and Mexico occurs across a wide diversity of POEs and transport conveyances. Average release times for shipments vary depending on the product type and requirements, as well as transport mode and POE used. The volume of bilateral trade and continuing growth in this trade, particularly at commercial crossings along the land border, can at times lead to congestion and logistical difficulties for supply chains in both directions. However, U.S. shipments to Mexico are most often delayed due to improper or inconsistent documentation from the exporting and/or importing parties. U.S. exporters are encouraged to contact [FAS Mexico](#) to understand the import-export process and help avoid these common delays.

Foreign Trade Single Window and E-certification

Mexico's Foreign Trade Single Window ([VUCEM](#)), a one-stop-shop that facilitates online document submission and revision of imports, has a module to manage E-certification. In this respect, USDA and SADER continue working towards E-certification. Currently, SENASICA accepts APHIS/PPQ's

"Phytosanitary Certificate Issuance & Tracking System ([PCIT](#))." SENASICA receives the certificates electronically, ensuring these comply with import requirements of particular plant and plant products; SENASICA may use APHIS VS "Veterinary Export Health Certification System ([VEHCS](#))" to revise export certificates exclusively for cattle and horses.

Appendix I. Government Regulatory Agencies Contact:

[SENASICA](#)

[Directory](#)

[SEMARNAT](#)

[Directory](#)

[PROFEPA](#)

[Directory](#)

[COFEPRIS](#)

[Directory](#)

[ECONOMIA](#)

[Directory](#)

Appendix II. Other Import Specialist Contacts:

For further information, and to learn more about services provided by FAS Mexico, please contact us:

Office of Agricultural Affairs, U.S. Embassy in Mexico City

T: +52 (55) 5080-2868

E: AgMexico@usda.gov

U.S. Agricultural Trade Office in Monterrey, Mexico

T: +52 (81) 8047- 3300 ext. 3318

E: AgMexico@usda.gov

U.S. Agricultural Trade Office in Mexico City, Mexico

T: +52 (55) 5080-2000 ext. 5282

E: AgMexico@usda.gov

FAS Mexico has expert advice for exporters, customs agents, freight forwarders, and Mexican importers regarding correct documentation procedures and logistics to successfully export to Mexico through the US-Mexico border by truck or rail, and by vessel through Mexico's major seaports. ATO Monterrey monitors trade flows along the US-Mexican border and works with other USDA offices in Mexico to facilitate this trade to the extent possible.

Attachments:

No Attachments