



Foreign Agricultural Service

GAIN Report

Global Agriculture Information Network

Voluntary Report - public distribution

Date: 5/26/2000

GAIN Report #MX0084

Mexico

Food and Agricultural Import Regulations and Standards

Proposed Rule on Health Provisions and Specifications for Cocoa and Cocoa Based Products 2000

Approved by:

Lewis Stockard

U.S. Embassy, Mexico

Prepared by:

Sal Trejo

Report Highlights:

On May 24, Mexico's Secretariat of Health published a proposed standard affecting cocoa and cocoa based products. The proposed regulation establishes provisions and health specifications for these products. There is a 60 day comment period.

Includes PSD changes: No
Includes Trade Matrix: No
Unscheduled Report
Mexico [MX1], MX

Introduction: This report summarizes a proposed Official Mexican Standard (NOM) published by Mexico's Secretariat of Health (SSA) in the "*Diario Oficial*" (Federal Register) on May 24, 2000.

Disclaimer: This summary is based on a *cursory* review of the subject announcement and therefore should not, under any circumstances, be viewed as a definitive reading of the regulation in question, or of its implications for U.S. agricultural export trade interests. In the event of a discrepancy or discrepancies between this summary and the complete regulation or announcement as published in Spanish, the latter shall prevail.

FAS/Mexico's Executive Summary: The proposed standard, PROY-NOM-186-SSA1-2000, for cocoa, cocoa products, and derivatives establishes fixed specifications for: chemical and microbiological tolerance levels; allowed additives; and labeling, packaging, storage and handling (see details below). Compliance will be mandatory for all persons or entities involved in processing or importing these products.

Title: Proposed Mexican Standard PROY-NOM-185-SSA1-2000, Goods and Services. Cocoa, Products, and Derivatives. I Cocoa. II Chocolate. III Derivatives. Health Specifications. Commercial Denomination.

Type of Regulation: Proposed

Important Dates

- 1. Publication Date:** May 24, 2000.
- 2. Public Comment Period:** 60 calendar days from publication.
- 3. Start of Public Comment Period:** May 24, 2000
- 4. End of Public Comment Period:** July 24, 2000

Products Affected: Cocoa, Chocolate, and Cocoa derived products.

Important Features of the Regulation:

Other Mexican Official Standards that will be used to enforce this NOM:

NOM-002-SCFI-1993 Prepackaged products, net contents, tolerances and verification methods.

NOM-008-SCFI-1993 General system of units of measure.

NOM 051-SCFI-1994 General specifications for labeling of prepackaged foods and non-alcoholic beverages.

NOM-086-SSA1-1994 Goods and services. Foods and non-alcoholic beverages with modifications in their composition. Nutritional specifications.

NOM-092-SSA1-1994 Goods and services. Determination method of plate count of aureus bacterias.

NOM-110-SSA1-1994 Goods and services. Preparation and dilution of food samples for microbiological analysis.

NOM-111-SSA1-1994 Determination method to count molds and yeast in foods.

NOM-112-SSA1-1994 Goods and services. Determination of coliform bacterias. Most probable number technique.

NOM-113-SSA1-1994 Goods and services. Method to determine total plate count of coliform microorganisms.

NOM-114-SSA1-1994 Goods and services. Determination method of Salmonella in food.

NOM-116-SSA1-1994 Goods and services. Determination method of moisture in foods by heat treatment. Sand and gauze method.

NOM-117-SSA1-1994 Goods and services. Determination of cadmium, arsenic, lead, tin, copper, iron, zinc and mercury in meals, drinking water and purified water by the atomic absorption spectrometric method.

NOM-120-SSA1-1994 Goods and services. Sanitation and hygiene practices in the processing of foods, alcoholic and non-alcoholic beverages.

NOM-127-SSA1-1994 Environmental health. Water for human consumption. Permissible quality and treatment limits for potable water.

Health Provisions:

The products under this NOM must comply with the described specifications on: microbiological specifications in plants, microbiological specifications at the sales point, heavy metals contamination and additives.

This NOM establishes that foreign matter is not permitted and is defined as: all material, residues, organic or inorganic waste or debris that is present in the product by contamination and/or non-hygienic handling of the product during its processing. Feces, hair of any species, pieces or fragments of bone and insects that are dangerous to public health are considered as foreign matter.

Import Requirements: All affected products must comply with the maximum tolerances or zero tolerances of the above listed specifications.

Sampling: Sampling of products under this NOM must be done as per regulations specified in the General Health Law.

Test Technique: Verification of physical and chemical specification under this law must be done according to Norms, as specified in the references.

Labeling: In addition to the indications in the specific NOM for labeling and in the General Law on health, labels of cocoa, products and cocoa derivatives under this NOM must indicate the following:

- Lot identification number.
- When product is identified with the date, the word "Lot" must precede the date.
- When the lot is identified with the expiration date, the words "Lot and Expiration date" must precede the expiration date.
- For milk-based candies, "keep in a cool dry place".
- The declaration of additives in the ingredients list must be specific.
- Compound ingredients which constitute more than 25 percent of the product must be declared and must be accompanied by an ingredients list in parenthesis by diminishing quantitative order (m/m). When less than 25 percent the additives which fulfill a technological function in the elaboration of the product and those ingredients or additives associated with allergic reactions, in conformance to the corresponding legal regulations.
- The additives employed in the elaboration of the products subject to this regulation must be specific, with the exception of flavor enhancers and enzymes, which may be included in the generic denomination.
- In case the product contains ethyl alcohol or alcoholic beverages in quantities that do not exceed 1,99 percent m/m in the finished product should include in the label the following legend: "This product contains ____ % alcohol. Not recommended for children".

Note: All statements on labels must be in Spanish or must be bilingual.

The labels on the products subject to this norm, in addition to fulfilling the previous points, are subject to the following:

The label should contain the generic and specific denomination in conformance with the following table:

Product	Cocoa paste	Defatted cocoa extract	Total dry extract of cocoa paste	Milk fat	Dry extract of milk	Cocoa and dry extract of milk combined	Vegetable fat other than cocoa butter
Chocolate	18,0	14,0	35,0				5,0
Chocolate bitter	22,0	18,0	40,0				5,0
Chocolate semi-bitter	16,5	14,0	30,0				5,0

Milk chocolate		2,5	25,0	2,5	14,0	40,0	5,0
Chocolate with high milk content		2,5	20,0	5,0	20,0		5,0
Chocolate with non-fat milk		2,5	25,0	0,5	14,0		5,0
White chocolate	20,0			3,5	14,0		5,0
Chocolate for table use	11,0	9,4	20,0				5,0
Chocolate for table use, semi-bitter	16,5	14,0	30,0				5,0
Chocolate for table use, bitter	22,0	18,0	40,0				5,0
Powdered chocolate	1,8		18,0				

Those products not complying with the specifications in the above table must use the term "chocolate flavored".

Packing and Wrapping:

Products under this NOM must be packed in sanitary containers made of innocuous materials resistant to handling during processing, so that products do not react or change their chemical, physical or organoleptic characteristics.

Resistant materials must be used to offer adequate protection for containers and prevent its external damage, ease in handling, storage and distribution.

Possible areas of concern:

Public health inspectors will randomly take samples of cocoa products under this NOM at the warehouses and sales points to monitor the compliance of the product with the specifications of this NOM. Any positive laboratory results from samples taken at the border or at the

warehouse/sales points will initiate an investigation to determinate the origin and/or cause of the deficiency/problem. If the investigation finds that the problem was due to plant deficiencies, sanctions will be implemented ranging from the administrative type to cancellation of import permits for that plant.

As routinely stated in all Mexican norms, this NOM is not equivalent to other international rules.

Cocoa

Specifications:

Physical and chemical:

Maximum Moisture
7.5 %

Microbiological:

	Total Coliforms CFU/g	Salmonella spp in 25 g	Molds CFU/g	Yeast CFU/g
Toasted Cocoa	10	Absent	50	50

CFU = Colony Forming Units

Contaminants:

Heavy Metals and Metalloids	Maximum Limit mg/kg
Arsenic	1
Copper	30
Lead	2

Cocoa must not contain more than 20 g/kg of aflatoxins.

Additives:

Additives	Maximum Limit mg/kg
Ph Regulators:	

Ammonium, magnesium, sodium and potassium carbonate	50 g/kg mixed or unmixed, expressed as K ₂ CO ₃ anhydrous on basis of product exempt of fat.
Ammonium, sodium or potassium hydroxide	50 g/kg mixed or unmixed, expressed as K ₂ CO ₃ anhydrous on basis of product exempt of fat.
Ammonium, sodium and potassium bicarbonate	50 g/kg mixed or unmixed, expressed as K ₂ CO ₃ anhydrous on basis of product exempt of fat.

Chocolate:

Specifications:

Physical chemical:

Maximum Moisture
2 %

Foreign matter:

Foreign matter in 100 g		
Insect fragments	Rodent hairs	Rodent excrement
60	1,5	negative

Microbiological:

Total coliforms CFU/g	Salmonella spp in 25 g
10	Absent

CFU = Colony Forming Units

Contaminants:

Heavy Metals and Metalloids	Maximum Limit mg/kg
-----------------------------	---------------------

	Chocolate	Unsweetened chocolate	Mixed or filled chocolate
Arsenic	0,5	1	1
Copper	15	30	20
Lead	1	2	1

Chocolate must not contain more than 20 g/kg of aflatoxins.

Additives:

Additives	Maximum Limit mg/kg
Ph Regulators:	
Ammonium, magnesium, sodium and potassium carbonate	50 g/kg mixed or unmixed, expressed as K_2CO_3 anhydrous on basis of product exempt of fat.
Ammonium, sodium or potassium hydroxide	50 g/kg mixed or unmixed, expressed as K_2CO_3 anhydrous on basis of product exempt of fat.
Ammonium, sodium and potassium bicarbonate	50 g/kg mixed or unmixed, expressed as K_2CO_3 anhydrous on basis of product exempt of fat.
Phosphoric acid	2,5 g/kg expressed as P_2O_5
L-tartaric acid	5 g/kg mixed or unmixed
Citric acid	5 g/kg mixed or unmixed
Emulsifiers	
Mono- and diglycerides of fatty acids	15 g/kg mixed or unmixed
Lecithin	10 g/kg insoluble lecithin component in acetone. 15 g/kg mixed with mono-and diglycerides of edible fatty acids.
Sorbitan monostearate	10 g/kg unmixed 15 g/kg mixed with other emulsifiers

Sorbitan tristearate	10 g/kg unmixed 15 g/kg mixed with other emulsifiers
Monostearate of polyoxyethylene 20 sorbitan	10 g/kg unmixed 15 g/kg mixed with other emulsifiers
Polyglycerol polyricinoleate esters	5 g/kg unmixed 15 g/kg mixed with other emulsifiers

Derivatives:

Specifications:

Physical Chemical:

Product	Maximum Moisture	Maximum Acidity
Cocoa paste	0,3 %	2 % expressed as oleic acid
Cocoa cake	5 %	-----
Cocoa	3,9 %	-----
Mixtures of cocoa and sugar, powdered chocolate	3,9 %	-----

Foreign Matter:

Foreign matter in 50 g		
Insect fragments	Rodent hairs	Rodent excrement
75	5	negative

Microbiological:

	Mesophylics aerobic CFU/g	Total Coliforms CFU/g	Salmonella spp in 25 g	Molds CFU/g	Yeast CFU/g
Cocoa paste	20000	10	Absent		
Cocoa cake	20000	10	Absent	50	50
Cocoa	20000	10	Absent	50	50

Mixtures of cocoa and sugar, powdered chocolate	20000	10	Absent	50	50
---	-------	----	--------	----	----

The above products must not contain more than 20 g/kg of aflatoxins.

CFU = Colony Forming Units

Contaminants:

Heavy Metals and Metalloids	Maximum Limit mg/kg				
	Cocoa	Cocoa paste	Cocoa cake	Cocoa butter	Mixtures of cocoa and sugar, powdered chocolate
Arsenic	1	1	1	0,5	1
Copper	30	30	50	0,4	50
Lead	2	2	2	0,5	2
Iron				2,0	

Additives:

Additives	Maximum Limit mg/kg
Alkalizers	
Ammonium, calcium, magnesium, sodium and potassium carbonate	50 g/kg mixed or unmixed, expressed as K ₂ CO ₃ anhydrous on basis of product exempt of fat.
Ammonium, sodium or potassium hydroxide	50 g/kg mixed or unmixed, expressed as K ₂ CO ₃ anhydrous on basis of product exempt of fat.
Ammonium, sodium and potassium bicarbonate	50 g/kg mixed or unmixed, expressed as K ₂ CO ₃ anhydrous on basis of product exempt of fat.
Ph Regulators	

Phosphoric acid	2,5 g/kg expressed as P ₂ O ₅
L-tartaric acid	5 g/kg mixed or unmixed
Citric acid	5 g/kg mixed or unmixed
Emulsifiers	
Mono- and diglycerides of fatty acids	15 g/kg mixed or unmixed
Lecithin	10 g/kg insoluble lecithin component in acetone. 15 g/kg mixed with mono-and diglycerides of edible fatty acids.

For More Information:

Fax: 011-52-5-208-2115

Email: AgMexico@fas.usda.gov

Internet Connections

FAS Mexico Web Site: We are available at <http://www.atomexico.gob.mx> or visit our headquarter's home page at <http://www.fas.usda.gov> for a complete selection of FAS' worldwide agricultural reporting.

Useful Mexican Web Sites: Mexico's equivalent of the Department of Agriculture (SAGAR) can be found at www.sagar.gob.mx and Mexico's equivalent of the Department of Commerce (SECOFI) can be found at www.secofi.gob.mx These web sites are mentioned for the readers' convenience but USDA does NOT in any way endorse, guarantee the accuracy of, or necessarily concur with the information contained on the mentioned sites.