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Simplified Labeling Procedures in Mexico's Border Areas

Report Categories:

Exporter Guide

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Report Highlights:

In some cases, food and agricultural products shipped to, and commercialized in, Mexico's so-called "special border zones" are subject to less stringent labeling requirements, in addition to other benefits such as lower VAT taxes. This report summarizes the applicable regulations and statutes which define products subject to simplified labeling procedures in Mexico's border zones. U.S. exporters may find this exemption beneficial in shipping products to these areas.

General Information:

DISCLAIMER: The following document includes translations of Spanish-written regulation; in the event of a discrepancy or discrepancies between these translations and the complete regulations or announcements as published in Spanish, the latter shall prevail. While every possible care was

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 current import requirements with their foreign customers, who are normally best equipped to research such matters with local authorities, before any goods are shipped.

I. BACKGROUND

Most food and agricultural products imported into Mexico are required to comply with labeling requirements outlined in NOM-051-SCFI-1994 "[General labeling specifications for pre-packaged foods and non-alcoholic beverages](#)" (NOM 051, for short). Requirements include bilingual labels containing specific commercial and consumer-relevant information (see GAIN Report [MX 1223](#) for more information). However, the Mexican Government has carved out several exemptions to the labeling requirements in NOM 051, one of which covers imported products that are shipped to, and commercialized in, defined border areas, or border zones.

II. BORDER ZONE LABELING REQUIREMENTS

As previously noted, the Mexican government considers the border regions as "special zones", and has thus established unique provisions for products that are imported into, and commercialized within these zones. One such provision covers the labeling of food and agricultural products. These regulations essentially exempt eligible products from full compliance with the labeling provisions in NOM 051. Instead, such products are subject to a simplified labeling procedure, as long as they remain in the border zone.

Products subject to the relaxed border labeling requirements are defined by the Ministry of Economy by Harmonized Tariff Code (HTC) in Annex 2.4.1 of the "[Agreement by which the Ministry for the Economy issues the General Criterion and Rules to be applied in Foreign Trade Operations](#)". However, it should be noted that some NOM 051-regulated products like certain poultry-based food preparations and meat, poultry & pork offals, dried pastas, some bakery ingredients, and cookies/wafers, are not eligible for simplified labeling procedures when imported into the Border regions, and must comply fully with NOM 051 requirements.

The simplified procedure, or exemption from full compliance with NOM 051, basically allows eligible products to be sold in the border zone with the original product labels, i.e., no bilingual label. However, Mexican retailers selling such products may be required to provide additional information on the product at the point of sale, i.e., on the shelf, or in other formats as specified in the [Simplified Requirements](#) established by the Ministry of Economy's General Directorate of Standards, published in October 20, 2003. Following is a summary translation of these requirements for retailers:

1. Consumer information: Assist consumers on product information not in Spanish by providing either information modules or training staff at the point-of-sale (store employees, demonstration staff, etc.)
2. Description of product and contents: Information can be included in the shelves where the product is displayed or in easy to read posters.
3. Expiration dates: This information should be included in the shipping package and wherever the product is displayed.
4. Importer's information: Information on the producer or on the importer can be provided in the sale receipt.
5. Hazard warnings: Regarding products that must include hazard warnings, such information can be displayed in a poster or on the shelves, unless the hazard is clearly visible to the consumer, or can be provided by information modules or trained staff.
6. Instructions and warranties: When the use of a product requires instructions or warranties, these should be provided in Spanish or, when applicable, by use of universal signs, and

- can be provided separately to the consumer when the sale is complete.
7. In the event that the product will be commercialized outside the border region, the product should comply with the applicable regulations (i.e., NOM 051)
 8. These simplified procedures also applied for domestic products commercialized in the border regions.

To commercialize a product in the border zone under the above simplified labeling procedures, the importer must submit the import document (*pedimento*) using the specific tariff codes that the Ministry of the Treasury and Public Finance ([*Secretaría de Hacienda y Crédito Público, or SHCP*](#)) establishes for products using the special labeling procedures. This information can be verified by the customs broker/freight forwarder. The importer must also include a letter stating that they will comply with the simplified requirements described above, and that said products will not be introduced into areas outside of the border zone unless the labels are in full compliance with NOM 051.

III. THE MEXICAN BORDER REGIONS: TYPES AND DEFINITIONS

Mexican regulations and laws use different terms to describe the border areas, such as: the border (*frontera*), the border strip (*franja fronteriza*), the border zone (*zona fronteriza*) and the border region (*region fronteriza*). With regard to simplified labeling requirements, the Mexican government uses the following definition:

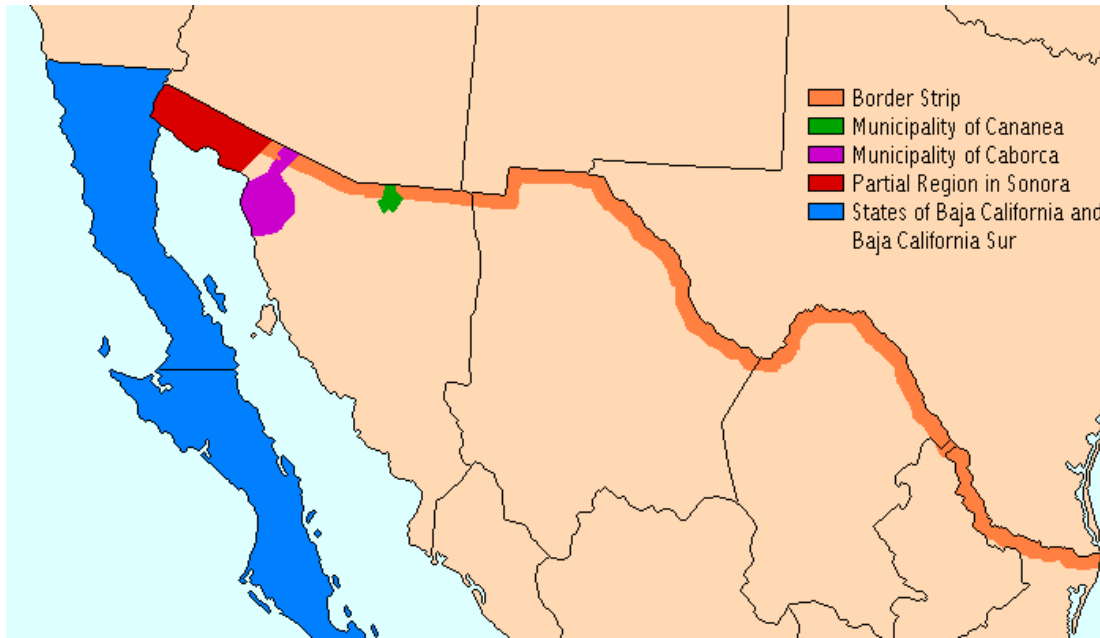
Border Regions: the Northern Border strip (adjacent to the United States), the Southern Border strip (adjacent to Guatemala), the States of Baja California, Baja California Sur and Quintana Roo, the Partial Region of the State of Sonora and the municipalities of Caborca and Cananea (both in the state of Sonora), Salina Cruz (in the state of Oaxaca) and Comitán de Domínguez (in the state of Chiapas)¹. Further definitions are include:

- a. **The Northern Border Strip** comprises the territory between the Mexican border with the United States and a parallel line running 20 kilometers into Mexican territory, from the eastern limit of the Partial Region in Sonora to the Rio Grande terminus in the Gulf of Mexico and the whole municipality of Cananea, in Sonora.
- b. **The Southern Border Strip** comprises the territory between the Mexican border with Guatemala and a parallel line running 20 kilometers into Mexican territory, from the municipality of Unión Juárez, in Chiapas, to the terminus of the Suchiate River in the Pacific Ocean, including the city of Tapachula, Chiapas, with its actual geographical area.
- c. **The Partial Region of the State of Sonora**, which comprises the following area: from the North, the International Border with the United States of America, from the Colorado River to a point located 10 kilometers west of the town of Sonoita, then a straight line to the coast, to a point located 10 kilometers east of the town of Puerto Peñasco, then following the coast westward to the Colorado River Delta and then north to the original point in the International Border.

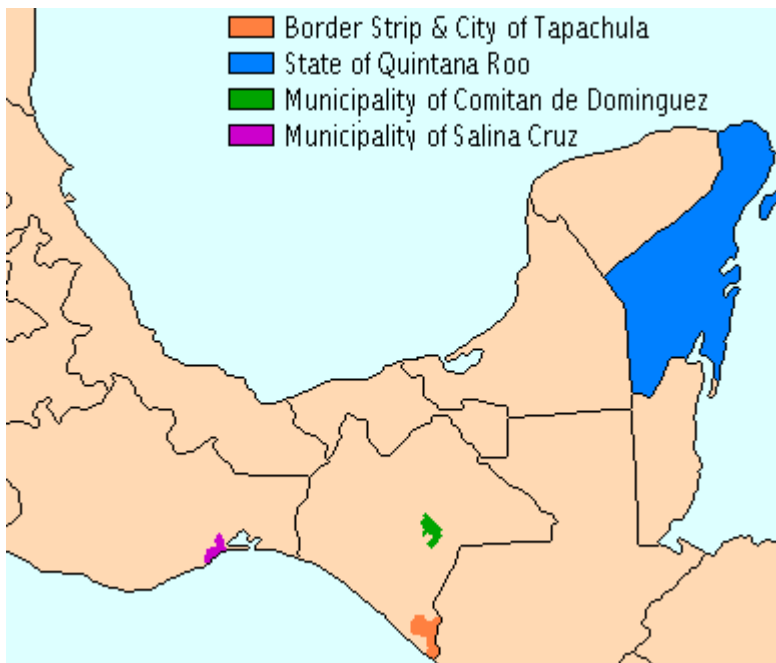
These definitions are mapped as follows:

Map 1. Border Regions in Northern Mexico.

¹ More recent regulations include the municipality of Tenosique, in the state of Tabasco, but so far no corrections have been included in Annex 2.4.1.



Map 2. Border Regions in Southern Mexico.



In addition to simplified labeling requirements, the border zones also offer other advantages for U.S. exporters such as a lower VAT taxes. In light of these advantages, some U.S. exporters have used the border region as testing areas to introduce new products into the Mexican market. The Northern Border Strip and the States in the Baja California peninsula include several key markets and tourist destinations such as Ciudad Juarez, Nuevo Laredo, Reynosa, Matamoros, Tijuana and Cabo San Lucas, which account for nearly six million inhabitants.

IV. ADDITIONAL INFORMATION

SELECTED MEXICAN LABELING-RELATED NOM's

For further information and updates, please review the Mexican NOM Catalogue, at:
<http://www.economia-noms.gob.mx/> (In Spanish only)

1. [NOM-006-SCFI-2005](#) – Alcoholic beverages. Tequila. Specifications
2. [NOM-010-PESC-1993](#) – Sanitary requirements for the import of live aquatic animals, regardless of their life stage, to be used for aquaculture or pet purposes.
3. [NOM-012-FITO-1996](#) – Quarantine to avoid potato diseases introduced into Mexican territory.
4. [NOM-013-SEMARNAT-2004](#) – Sanitary regulations for the import of Christmas trees of the *Pinus* and *Abies* genus and the *Pseudotsuga menziesii* specie.
5. [NOM-051-SCFI-1994](#) – General labeling specifications for pre-packaged foods and non-alcoholic beverages.
6. [NOM-070-SCFI-1994](#) – Alcoholic beverages. Mescal. Specifications
7. [NOM-084-SCFI-1994](#) – Commercial information specifications for pre-packaged tuna and bonito products.
8. [NOM-120-SCFI-1996](#) – Labeling of agricultural products. Table grapes.
9. [NOM-128-SCFI-1998](#) – Labeling of agricultural products. Avocado.
10. [NOM-129-SCFI-1998](#) – Labeling of agricultural products. Mango.
11. [NOM-139-SCFI-1999](#) – Labeling of vanilla (*vanilla spp.*) extract, its derivatives and substitutes.
12. [NOM-142-SSA1-1995](#) – Alcoholic beverages. Sanitary specifications. Commercial and sanitary labeling.
13. [NOM-186-SSA1/SCFI-2002](#) – Cocoa, its products and derivatives. Sanitary specifications. Commercial denominations.

POST CONTACT

If you have any questions or comments regarding this report or need assistance exporting food products to Mexico, don't hesitate to contact us at the following addresses:

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