

Required Report - public distribution

Date: 8/17/2009

GAIN Report Number: MX9325

Mexico

Food and Agricultural Import Regulations and Standards - Narrative

FAIRS Country Report

Approved By:

W. Garth Thorburn, ATO MEXICO

Prepared By:

Erik Hansen, Lourdes Guzman, Pia Cortes & Erika Hernandez

Report Highlights:

Sections Updated: Section I. Food Laws; Section II. Labeling Requirements; Section III. Packing and Container Regulations; Section IV. Food Additive Regulations; Section V. Pesticides and Other Contaminants; Section VI. Other Regulations and Requirements; Section VII. Other Specific Standards; Section VIII. Copyright and/or Trademark Laws; Section IX. Import Procedures; Section X. Other Relevant Reports; Diagram I. Imports of U.S. Agricultural Goods to Mexico; Appendix I. Government Regulatory Agency Contacts; Appendix II. Other Import Specialist Contacts; Appendix III. List of Approved Food Additives Hermetically Sealed Subject to Heat Treatment; Appendix IV. List of Mexican Food and Agriculture Regulatory Agencies.

This report was prepared by the Agricultural Trade Office of the USDA/Foreign Agricultural Service in Mexico City, Mexico, for U.S. exporters of domestic food and agricultural products. 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 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.

SECTION I. FOOD LAWS

The Mexican Bureau of Standards (DGN, Dirección General de Normas) is responsible for 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 to the competent Mexican ministries and agencies the authority to establish regulations relating to the protection of human, animal and plant health, and the environment. The objectives comprise requirements for products, services, processes, raw materials, labeling, testing, packaging, facilities, and safety and hygiene requirements among others. The Law also lays out the administrative procedures by which regulations are developed and disseminated.

The Mexican government publishes technical regulations (Reglamentos) or standards (Norma Oficial Mexicana - often referred to simply as a NOM), in the Diario Oficial de la Federación (Official Gazette) - the Mexican equivalent of the U.S. Federal Register. Mexico's Ministry of the Economy (Economía or SE) coordinates the regulatory process through its Directorate General of Normas. Although other Mexican federal agencies may develop regulations under their jurisdictions, they must work through the Secretaría de Economía. Electronic versions of all valid NOMs are available on the Ministry of Economy website at <http://www.economia-noms.gob.mx>. These NOMs are coded by subject and are revised every five years.

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

General Health Law – The General Health Law assigns the Mexican Ministry of Health (Secretaría de Salud) with the responsibility of issuing regulations related to human health. The Law deals with all aspects related to the promotion and protection of human health. The Ministry of Health 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. The Ministry may also randomly sample and inspect imported products to ensure compliance with Mexican requirements. Mexican regulations related to human health are issued through the Ministry of Health's regulatory agency, by the Federal Commission for the Protection against Sanitary Risks (COFEPRIS); its website www.cofepris.gob.mx/ .

The Federal Law on Animal Health – The Animal Health Law grants the Ministry of Agriculture

(SAGARPA) authority to take animal health measures to prevent the introduction of pests and diseases affecting animal health and their control. SAGARPA also has to endorse the welfare of animals, regulate products such as feed and pharmaceuticals consumed or used by livestock, establish best practices in livestock production and in slaughter and meat processing facilities. (Responsibility for meat processing facilities is shared with the Ministry of Health, Secretaría de Salud). The Law also confers SAGARPA with promoting harmonization with international standards and for establishing equivalence agreements with other countries. SAGARPA is 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. In addition to this, SAGARPA is currently working on a preliminary Regulation for the Animal Health Law.

The Federal Law on Plant Health – The Plant Health Law authorizes SAGARPA to reduce the risks of microbiological, physical and chemical contamination in the production of crops and to take actions to promote and protect plant health. According to the Law, phytosanitary certificates are required for imports likely to host diseases or pests. While some agricultural products may be the subject of specific regulations, such as [NOM-012-FITO-1996](#) on preventing the introduction of potato pests, the Plant Health Law also requires SAGARPA to develop Phytosanitary Requirement sheets ([Hojas de Requisitos Fitosanitarios](#)) which also lay out specific requirements for imported plant products.

SECTION II. LABELING REQUIREMENTS

Mexican requirements for specific commercial information which must be marked on products sold to consumers may differ based on product. In general, specific labeling requirements for prepackaged food and non-alcoholic beverages are included in NOM-051-SCFI-1994 “General Specifications for Labeling Prepackaged Foods and Non-alcoholic Beverages”. The Mexican importer is responsible for making sure that the products comply with the NOM. For this reason, U.S. exporters should seek informed advice from an agent, distributor, importer or local consultant familiar with the market requirements.

Labels that comply with Mexican regulations must be in place prior to retail sale. Labels are checked by “Unidades de Verificación” (verification agencies) and approved by the Secretariat of Economy. There are two types of documents issued by these agencies and the Mexican customs agent at the border will request that one of them be supplied. The exporter and/or the importer may choose which one to use, however the document is necessary to ensure compliance and to gain import approval.

- “Constancia de Conformidad” (Statement of Compliance): This is requested prior to the importation of the products. Either the exporter or the importer may submit an application for the Constancia de Conformidad. It may be used many times and by different importers as long as the product remains the same and the label is unchanged. The product must be labeled before entering the country and the importer must present it at the entry point.

- “Dictamen de Cumplimiento” (Compliance Specification): This is requested for products that will be or have already been imported but the labels will be prepared and attached locally. This document must be requested by the importer and only an importer registered with the “Padrón de Importadores” and that has imported at least US\$100,000 worth of goods in the past 12 months will be granted approval. The product and label are both inspected locally to ensure compliance prior to retail sales. This document is linked to the invoice number, is a one time document and is only valid for a specific amount of products. It cannot be used again and is non-transferable.

If the product does not require a label, a document stating that this specific product is not subject to the labeling regulations is granted and presented at the border at the time of importation.

The cost of any of these documents varies but ranges between US\$50 and US\$80. The processing and issuance of these documents normally takes 7 and 30 days.

A list of approved compliance agencies for food and non-alcoholic beverages can be obtained at: http://www.economia.gob.mx/work/normas/Aprobacion/Unidades_de_verificacion/51scfi_apb04.pdf

And for alcoholic beverages at:

http://www.economia.gob.mx/work/normas/Aprobacion/Unidades_de_verificacion/142ssa_apb04.pdf

In keeping with a five-year compulsory review process of standards mandated by Mexican law, the Ministry of the Economy (Economía) just finished a joint effort with the Federal Commission for the Protection Against Sanitary Risks (COFEPRIS - Comisión Federal Para la Protección Contra Riesgos Sanitarios) to revise the current NOM-051. Other agencies such as the Consumer Protection Agency - PROFECO (Procuraduría Federal del Consumidor) also participated in the process.

The revised rule called PROY-NOM-051-SCFI/SSA1-2009 partially complies with the Food and Agriculture Organization and World Health Organizations’ (FAO/WHO) food standards program, CODEX Alimentarius. On July 20, 2009, the final draft was sent for approval to COFEMER. Currently all interested parties can submit comments and opinions to this PROY-NOM directly to COFEMER via e-mail (cofemer@cofemer.gob.mx). COFEMER will send this to the appropriate contact at the Ministry of the Economy (the lead agency in this process).

The “Dictamen Final” (final approval/opinion) from COFEMER could take from 30 to 60 days from the time when Economía submits their comments. Once COFEMER approves the document and submits their “Dictamen Final” the new draft regulation will be published in the Diario Oficial de la Federación (Official Gazette) and will be made available for a sixty-day comment period. If the

draft remains unchanged, once the final version is published in the Diario Oficial, the industry will have 60 days to comply with the new regulation.

Some of the major changes that this new regulation is proposing include:

- The nutritional declaration on the label will be mandatory instead of voluntary;
- The new NOM proposes to change the minimum requirement for listing ingredients on the label from 25 percent to 5 percent of content;
- The content of all fats including saturated and trans-fats, as well as cholesterol should be specified along with other nutrients, proteins, sugars, vitamins, fiber;
- The inclusion of statements mentioning the possibility of an allergic reaction being caused by an ingredient. Some of these ingredients are fish, cereals containing gluten, tree nuts, peanuts, and products containing lactose;
- The mandatory use of a declaration and logo if the products have been irradiated.

For an unofficial translation of the proposed regulation (PROY-NOM-051-SCFI/SSA1-2009), please refer to GAIN report MX9324 "Mexico Proposes Labeling Changes for Food and Nonalcoholic Beverages".

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. Nutritional value enhancements of food automatically require a Mexican nutrition box.

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

Statements not allowed to be used in Mexico are those phrases that cannot be proven to be true

or those that could deceive or confuse the consumers. Warning statements are those that are based on known scientific evidence, are associated with real or potential risks related to intolerances, allergies, metabolic illnesses or toxicity. Also warning statements that promote a balanced diet might be included.

To comply with NOM-030-SCFI-2006, the font height must be adjusted in the main exhibit area or label area as follows:

MAIN EXHIBIT AREA cm2	Font Height mm.
0 - 32	1,6
32 - 161	3,2
161 - 645	4,8
645 - 2580	6,4
Over 2580	12,7

Mandatory Labeling Requirements Required by NOM-051-SCFI-1994 include:

- **Product Name/Product Description.** Raw or Generic Description of the product must be placed in the Main Exhibit Panel of the product package or label. It must be in Spanish, or English and Spanish. If the latter is applied, font sizes and colors must be equal.

- **Brand Name.**

- **List of Ingredients.** The ingredient list must be headed by the word ingredients in Spanish ("Ingredientes"); ingredients must be listed in descending order by quantity. Additives must be listed when they perform a technical function in the finished product. Certain generic names, such as vegetable oil or spices may be used. The list of ingredients must be in Spanish, or in English and Spanish. It may be placed anywhere on the sides of the package, or on the back or be displayed on the main label.

- **Net Content/Drained Mass.** According to NOM-030-SCFI-2006, "Información comercial - Declaración de cantidad en la etiqueta-especificaciones", the net content statement has to be placed in the main exhibit panel, it must be space free above and below with at least the same height of the font on the left and the right with the width of two characters of the same font. The thickness of the font must be at least 1/3 of the height of the font used. The net weight declaration must be made in metric units (grams, kilograms, or liters). Metric commas have to be used, not periods. Refer to NOM-008, International Units. The correct label to declare content is: CONTENIDO NETO. Authorized abbreviations are: Cont. Neto; Cont. Net.; or, Contenido Net.

- **Manufacturer and Importer's Information.** For locally produced products the manufacturer's information can be placed anywhere on the package and must include the

following information: "Fabricante: (Company name, Address with street, colonia, delegation, state and zip code, and tax ID number known as the RFC)".

For imported products, the manufacturer's information is optional, but the importer's information must be present and include: "Importado por: [Company name, address with street, colonia, delegation, state and zip code, plus the RFC number]".

- Country of origin. Must be in Spanish, or in Spanish and English and placed anywhere on the package or label. The label must start with the words "Producto de" or "Hecho en" followed by E.U.A, or EUA, or E.E.U.U., or EEUU, or Producto Estadounidense, or Producto de los Estados Unidos de América.

- **Batch Number.** Information may be placed anywhere on the package but must be visible at all times. A batch number system is accepted according to CODEX International Regulations or to specific norms. The label should read Lote or Lote de Producción.

- **Expiration Date.** According to Codex International Regulations any dating system is accepted DD/MM/YY or MM/DD/YY. It may be placed anywhere on the package. The preferred date of consumption might be mandatory on specific products.

-**Preferred Date of Consumption.** This is non-mandatory information and if included, the preferred date of consumption must state month and year for products whose expiration is 3 or more months, or day and month for products whose expiration is 3 months or less. If this date is specified, a note on proper handling practices to preserve the product in optimum conditions must be added. For example: "Consumase Preferentemente antes de: AGO 2009 or 20 ENE" and "Manténgase congelado" (keep frozen).

- **Nutritional Information.** This information is normally voluntary but it becomes mandatory when the manufacturer declares any quantitative or qualitative nutritional characteristic of the product. If nutritional information is included, it must state at least energy content; amount of proteins, carbohydrates and fats; amount of sodium; and the amount of the nutrient for which a claim is made. This must be done considering the Mexican daily caloric intake of 2,000 kilojoules (kcal).

- **Products Sold in Multiple Packages.** The information contained in this NOM must be located on the package, except for the batch number and the expiration date which must appear on each product. The package must bear the statement "Not Labeled for Individual Sale".

B. Requirements Specific to Nutritional Labeling

Nutritional labeling under NOM 051 is voluntary, however it becomes mandatory if special claims

are made on the label. If this is the case, the label must include energy content, protein, carbohydrates, fats and sodium contents, and the amount of any nutrient. The nutritional table may be placed anywhere on the package and must comply with NOM-086, or other specific NOMs or health regulations, and with the percentages defined for the Mexican population by NOM-051. Presentation of the nutritional information is also stipulated in the NOM. Energetic content, for example, needs to be declared in kilojoules (kcal) per 100g or per serving.

If additional nutritional information is provided, these are some of the guidelines to follow:

- The inclusion of some nutrients such as proteins, vitamins, and/or minerals should be included only if they supply more than 5% of the Recommended Daily Ingestion-IDR (recommended daily allowance).
- The inclusion of the fat content requires a breakdown of all the types of fat and their percentages using the expression "del cual" (of which) polyunsaturated fat, monounsaturated fat, saturated fat and cholesterol.
- Include the number of portions per container.

C. Other Labeling NOMS

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

Alcoholic Beverages: NOM-142-SSA1-1995, "Goods and Services. Alcoholic Beverages. Sanitary Specifications. Sanitary and Commercial Labeling".

Alcoholic beverages containing alcohol of 2% to 55% by volume are required to exhibit the following information on their packaging and or label:

- The statement "el abuso en el consumo de este producto es nocivo para la salud" (abuse in the consumption of this product is harmful to your health). The label must be easily legible, in contrasting colors and without invoking or making reference to any legal provision.
- Alcohol content. Percentage of volume of alcohol at 29C: % Alc. Vol.
- Each container must have a visible coded batch number.
- For Brandy, the word "Brandy" in an obvious way and the statement, "100% de uva" (made

100% with grapes), which must be true.

- If they contain aspartame the following statement should apply: "Fenilcetonuricos: Contiene Feninlanina".

- If daily consumption exceeds 50g of sorbitol the following statement should apply: Contiene sorbitol: el abuso puede causar efectos laxantes (contains sorbitol and its abuse might have laxative effects)

Cheese and Whey Cheese: NOM-121-SSA1-1994, "Goods and Services. Cheeses: fresh, aged/ripened and processed" and NOM -035-SSA1-1993, "Goods and Services. Whey Cheese. Sanitary Specifications".

These NOMs mandate that the label must:

- Include the wording "Mantengase o Consérvese en Refrigeración (Keep Refrigerated).

- Include the origin of the product: "Elaborado 100% con leche de vaca" (made 100% from cow's milk) or indicated the origin of the product if different from cow milk.

- It should indicate the expiration date stating the day and month, as follows: "Fecha de Caducidad".

- For whey cheese it should also state the minimum percentage of fat and the maximum percentage of humidity.

Milk: NOM-155-SCFI-2003 "Milk, milk formula and combined dairy products – denomination, physical/chemical specifications, commercial information and testing methods" and NOM-184-SSA1-2002 "Products and Services. Milk, milk formula and combined dairy products – Sanitary Specifications".

PROY-NOM-243-2005 is pending to be published as an Official Mexican Standard and will affect labeling for milk products.

Other NOMS that supplement the dairy industry include:

NOM-036-SSA1-1993	- Ice Cream
NOM-091-SSA1-1994	- Pasteurized cow's milk - Health specifications

Meat: NOM-030-ZOO-1995 "Specifications and Procedures to Verify Imported Meat, Carcasses, Viscera and Offals at the Animal Health Verification Points"; and NOM-034-SSA1-1993 "Goods and Services. Meat products. Packaged ground meat and molded ground meat. Sanitary Specifications"; and NOM-122-SSA1-1994 "Goods and Services. Meat products. Cured or cooked, emulsified and cooked meat products. Sanitary Specifications".

These NOMs require the following information 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, is possible:
- The original label of the plant with the generic name of the product, net weight in kilograms, establishment name and number, as well as the packaging date. All this information shall be in the language of the country of origin.
- A label in Spanish with the information regarding the country of origin, the establishment's name, number and address, name of product and the legend "keep under refrigeration" or "keep frozen", must be included.
- For boxes and combos, the stamp of inspected by the corresponding health authority from the country of origin, as well as the corresponding batch number should be displayed and visible.
- Refrigerated products under NOM-034, should also include the following statements as required "Keep Refrigerated" and "This Product Must be Consumed Well Cooked" and the expiration date indicating day and month.
- Frozen products under NOM-034 should include the statements: "Keep Frozen at a Maximum Temperature of -18 C"; "Once Unfrozen Do Not Freeze Again", and "This Product Must be Consumed Well Cooked"
- Products under NOM-122 should include the statement "Keep Refrigerated" and the expiration date

Other NOMS that supplement the meat industry include:

NOM-004-ZOO-1994	- Toxic Residue Control in Meat, Fat, Liver and Kidneys from Beef, Horses, Pigs and Sheep
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Biotechnology Labeling: Currently there is not a specific NOM for labeling GMO's or products containing GMO's. However, the industry has agreed that yellow corn must be identified as such in 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.

Organic Labeling: As with the case with GMO's, currently there is not an organic labeling policy in place and the official logo has not been defined. Organic products are subject to general labeling requirements.

The following NOMs complement and support all NOM-051 and all of the above mentioned regulations:

NOM-002-SCFI-1993	- Prepackaged products, net content, tolerances and Verification methods
NOM-008-SCFI-2002	- General system of measurement units
NOM-030-SCFI-2006	- Commercial information-quantity statements and specifications in labels
NOM-086-SSA1-1994	- Food and Non-alcoholic beverages with modifications in its composition. Nutritional specifications

SECTION III. PACKING AND CONTAINER REGULATIONS

The General Health Law grants the Ministry of Health (Secretaría de Salud) authority to regulate the packaging of foods, 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-SSA1-1993](#). 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-SSA1-1995](#) 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 still returnable.

SECTION IV. FOOD ADDITIVE REGULATIONS

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

The Ministry of Health (SSA) through the *Federal Commission for the Protection against Sanitary Risks* (COFEPRIS) regulates the use of additives in the preparation of food intended for human consumption. NOM-130-SSA1-1995 for the regulation and sanitary specifications for foods in hermetically sealed containers subject to heat treatment 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. NOM-121-SSA1-1994 regarding sanitary specifications for fresh, hard, and processed cheeses specifies permitted colorants, preservatives, acidifiers, emulsificants, flavorings, and enzymes in cheese. NOM-213-SSA1-2002 on sanitary specifications for processed meat products contains 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, as a protective measure to guarantee the health of the Mexican population through the controlled use of additives in the preparation of food and to cope with the constant development at the Food Industry, the Ministry of Health (SSA) published on July 17, 2006, the 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.)

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 itself a regulatory body, 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:

- Ministry of Agriculture, Livestock, Fishery and Food (SAGARPA)
- Ministry of Environment and Natural Resources (SEMARNAT)
- Ministry of Health (SSA)
- Ministry of Economy (SE)

The Regulation (Reglamento) on Registration, Import and Export Authorizations, and Export Certificates for Pesticides, Fertilizers, and Toxic Materials, lays out the procedures for pesticide registrations. SSA - through COFEPRIS - is responsible for authorizing registrations and issuing free sale certificate for pesticides, and also granting import permits. SEMARNAT provides technical opinions regarding the protection of the environment. SAGARPA provides technical opinions regarding the biological effectiveness of pesticides and fertilizers and on the phytosanitary aspects of the maximum residue levels.

CICLOPLAFEST is working, primarily through COFEPRIS and SAGARPA, on a proposed NOM that will establish and update maximum residue levels. Completion of the NOM is expected by the end of 2009.

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, 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 on meat are under the jurisdiction of SAGARPA.

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 is to 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.

There are three main agencies that issue specific import requirements and regulations for specific products: SAGARPA (the Secretariat of Agriculture), SALUD (the Secretariat of Health) and SEMARNAT (the Secretariat of the Environment and Natural Resources).

a. Import Requirements Based on Animal and Plant Health Risks (SAGARPA or AGRICULTURA)

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 the verification, inspection and certification services for the products subject to the regulations.

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

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

Live animals, meats, processed meat products, dairy products, other animal products (e.g. genetic material), animal fats, feeds, pet foods, hides and skins and other products under the tariff classifications included in this list must comply with the requirements of the "HRZ" (or Hoja de Requisitos Zoosanitarios) issued by the DGSA and are subject to inspection at the point of entry to verify that the products are free of pests and diseases. The HRZ is free and can be obtained at: <http://148.245.191.4/zooweb/>. Click on one of the documents according to your product:

- "Consulta de Requisitos de Animales Vivos" for live animals; or
- "Consulta de Requisitos de Productos de Origen Animal" for other animal products.

If you cannot find your products, it may be that their imports are not allowed or that a sanitary risk assessment has not yet been conducted.

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 through the General Directorate of Food Safety, Aquaculture and Fishery Aquatic Sanitary Certificate issued by GDOPA. 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.

Plants and plant products included on the list, such as fresh fruits and vegetables including products such as potatoes, onions, mushrooms, apples, pears, peaches, cherries, some seeds, herbs, and grain meals, must meet the requirements of an "HRF" or Hoja de Requisitos Fitosanitarios issued by the DGSV if there is no specific NOM for the product. For example, grains and seeds not for planting (classified in NOM-028-FITO-1995) and fresh produce (classified in NOM-008-FITO-1995) do not require an HRF but they have to fully comply with these specific relevant NOM's. All imported plants and plant products on the list are subject to inspection at the point of entry by the DGIF to ensure that they are free of pests and diseases. Any plant products that are not specified in a NOM or in a HRF must comply with NOM-006-FITO-1995 and will go through a pest risk assessment to determine if they are approved for import. This is a lengthy process.

Specific "Hojas de Requisitos Fitosanitarios" according to each product, can be obtained for plant health requirements (HRF's) at:

<http://148.245.191.4/requisitosfito/Formulario.aspx>

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

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

New products or products for which there is no specific NOM must adhere to NOM-006-FITO-1995 which establishes minimum requirements to import vegetables, vegetable products and by-products not regulated in a specific NOM. These products will be subject to a Pest Risk Analysis and the results need to be acceptable to gain import approval.

Some of the information required to apply for the "Hojas de Requisitos" is: product name, importer's legal name, product description, quantity, estimated value, use, tariff code number, country of origin, port of entry and final destination.

In order to ensure compliance with these requirements 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.

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

b. Import Requirements Based on Public Health Risks (SSA or SALUD)

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

The "Accord that establishes the classification and codification of products, the importation of which is subject to regulations from the Mexican Ministry of Health SSA", issued on September 27, 2007, and last updated on June 25, 2009, lists the tariff numbers of the products that are subject to SSA 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 before must apply for a "PERMISO".

Again, the most important thing for the U.S. exporter is to determine the exact tariff classification number. This number will define the regulatory agency and all the documentation necessary to get import approval.

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

c. Import Requirements Based on Environmental Concerns (SEMARNAT or MEDIO AMBIENTE)

The Ministry of the Environment and Natural Resources (SEMARNAT) regulates the imports of products that could potentially disrupt the ecological balance. It issues import authorizations for different products through the General Directorate of Wildlife.

The "Accord that establishes the classification and codification of products the importation of which is subject to regulations from the Mexican Ministry of the Environment 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 the 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 within this agency.

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 genetically modified organisms (GMOs) with respect to impact on human health, the environment, biological diversity, and plant, animal and aquatic health.

Approval for Human Consumption

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

Requests for authorization must include an assessment by the Ministry of Health (SALUD) of potential risks presented 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 of March 19, 2008. Authorizations are generally to be determined within six months from the submission of the application. Under these regulations, the list of GMOs authorized for human consumption will be published annually, in early February.

The Ministry of Finance and Public Credit (HACIENDA) has authority over importation of GMOs and products containing GMOs. This authority includes ensuring the appropriate permits or authorizations are in place and that any identity requirements provided for 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 the Ministry of Health and the Ministry of the Economy, 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 69 biotechnology derived products (involving one or more events) have been authorized for human consumption in Mexico. By product category these include:

Tomato	3
Alfalfa	1
Sugar Beet	1
Potato	3
Cotton	22
Canola	4
Soybean	5
Rice	1
Corn	29

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 the precautionary approach.

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, Michoacan, 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 finally published in the Federal Registry (Diario Oficial) and since then the government's involvement in this sector has increased significantly. As mandated in the law, the National Counsel for Organic Production (CNPO – Consejo Nacional de Producción Orgánica) was established in 2007 with the participation of producers, processors, importers/distributors, universities, government entities and certifiers, who act as consultants for the Secretariat of Agriculture (SAGARPA) on organic production and commercialization issues.

During 2006 through 2008, the Mexican Secretariat of Agriculture (SAGARPA) developed the "Regulations for the Organic Products Law" with support from the Secretariat of the Economy (ECONOMIA), the Secretariat of Health (SS) and the Secretariat of the Environment (SEMARNAT). The regulations have been completed and are currently waiting to be officially published by the federal government.

Currently a third document, "Guidelines for the Regulations of the Organic Products Law" is being drafted. The fourth draft of this document could be finalized during 2009. These guidelines will outline industry requirements that are necessary in order to establish an organic operation in the country.

SECTION VIII. COPYRIGHT AND / OR TRADEMARK LAWS

Trademarks, patents and industrial designs are considered "Industrial Property" in Mexico. They are protected under Mexico's Law of Industrial Property ("Ley de la Propiedad Industrial") and it is implementing regulations.

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

Companies interested in registering a trademark can contact the Mexican Institute of Industrial Property, IMPI ("Instituto Mexicano de la Propiedad Industrial"), an independent agency that operates under the Ministry of the Economy.

According to the U.S. Commercial Service in Mexico, some U.S. trademark holders have encountered difficulties in preventing former subsidiaries and franchisees from continued use of their trademarks. U.S. companies holding trademarks in Mexico have cited problems with trademark enforcement and administration. When counterfeit items are discovered, injunctions against trademark violators are often unenforceable and are consistently challenged before the courts. 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.

Plant Variety Protection

The Federal Law of Plant Varieties ("Ley Federal de Variedades Vegetales") protects the rights of plant breeders. The Regulations under the Federal Law on Plant Varieties can be found at: http://www.cddhcu.gob.mx/LeyesBiblio/regley/Reg_LFVV.pdf.

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

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

SECTION IX. IMPORT PROCEDURES

Most agricultural shipments stopped at border crossing points are not caused by sanitary or phytosanitary issues but rather due to omitted or incorrectly filled out documentation that accompanies those shipments. Other factors such as changing import requirements; expanding trade volumes; growth in inexperienced exporters/importers; and neglecting the use of customs brokers have also contributed to trade stoppages at the border.

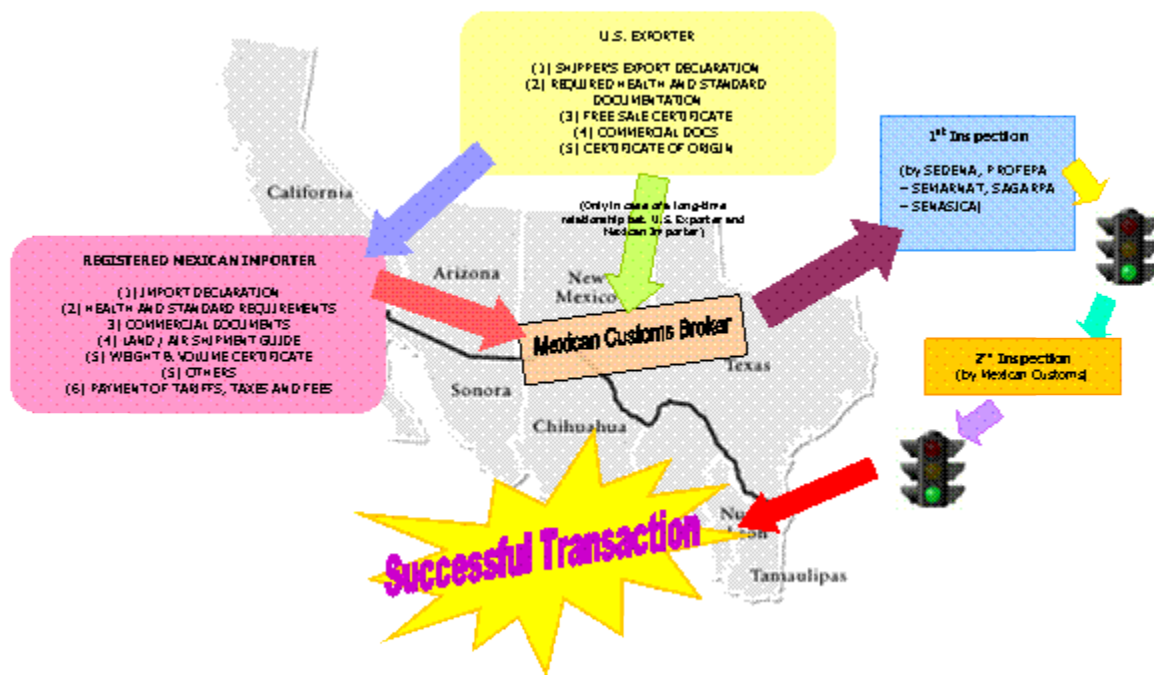
Before exporting products to Mexico, it is advisable to locate an experienced Mexican customs broker to help avoid trade impediments at the border. These brokers are authorized by the Mexican Internal Tax Registry (Secretaría de Hacienda y Crédito Público) to handle customs clearance operations. In addition, all companies that import agricultural products need to 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 of 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). If you choose not to hire a customs broker, please note that the Export Declaration needs to be generated and delivered with the rest of the documents listed above.

The entire customs clearance procedure normally takes around 24 hours upon submission of all required documentation. The following flow chart depicts the import process.

DIAGRAM I. IMPORTS OF U.S. AGRICULTURAL GOODS TO MEXICO



Required Documentation

In the next few lines 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 their tariff code before engaging in import operations. It is important to know your products' HTS in order to learn if they underwent tariff increases as set by the Mexican Government [2] and if they are 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 through the so-called "Hojas de Requisitos", you may require an export certificate from the U.S. Department of Agriculture on health aspects of plant and animal products. It 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 is 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 authenticate 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 Treasury 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 cosigned 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 address of destination and freight charges.

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

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

C. Sanitary Requirements on Processed Products (Human Health)

Mexican imports of processed foods are subject to regulations issued by the Ministry of Health (Secretaría de Salud). The agency that enforces such regulations is the Federal Commission for Sanitary Risks Protection (Comisión Federal para la Protección contra Riesgos Sanitarios, COFEPRIS). Depending on the product they can be subject to import notice (AVISO) or to an import permit (PERMISO). For further 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 the Ministry of Economy (Secretaría de Economía), printed Mexican Official Norms (Normas Oficiales Mexicanas or 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).

F. Duty Payments

They can be ad valorem, IVA (Value Added Tax - 15% charge of the goods' value), port fees, and/or other special taxes place 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. As mentioned before, most of U.S. agricultural products have no tariffs. However, after March 18, 2009, some agricultural products become subject to duty increases by HS code (see GAIN report MX9010 for more details).

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 federal government.

^[1] Importers need special permission for certain goods such as wine. They must be registered at the Sector Registry (Padrón Importador) for such commodities.

^[2] As of March 18, 2009, tariffs on some agricultural products were revised. Please see GAIN Report [MX9010](#) for more information.

Section X. Other Relevant Reports

MX9501 Imported Products Regulated by the Ministry of Health (SALUD)
<http://www.fas.usda.gov/gainfiles/200904/146347677.pdf>

MX9324 Mexico Proposes Labeling Changes for Food and Nonalcoholic Beverages
http://gain.fas.usda.gov/Recent%20GAIN%20Publications/Mexico%20Proposes%20Labeling%20Changes%20for%20Food%20and%20Nonalcoholic%20Beverages_Mexico%20ATO_Mexico_8-6-2009.pdf

MX9312 Labeling Requirements
<http://www.fas.usda.gov/gainfiles/200904/146347698.pdf>

MX9310 Trucking Retaliation Increases Tariff on Pet Food
<http://www.fas.usda.gov/gainfiles/200903/146347595.pdf>

MX9309 Trucking Retaliation Increases Tariff on U.S. Christmas Trees
<http://www.fas.usda.gov/gainfiles/200903/146347594.pdf>

MX9033 Review of Compensatory Beef Duties
http://gain.fas.usda.gov/Recent%20GAIN%20Publications/Review%20of%20Compensatory%20Beef%20Duties_Mexico_Mexico_5-19-2009.pdf

MX9014 Trucking Retaliation Increases Tariffs on U.S. Apricots, Cherries, Grapes, Pears & Strawberries
<http://www.fas.usda.gov/gainfiles/200903/146347588.pdf>

MX9012 Trucking Retaliation Increases Tariff on U.S. Frozen Potatoes
<http://www.fas.usda.gov/gainfiles/200903/146347573.pdf>

MX9010 Mexico Announces Tariff Modifications on 36 U.S. Agricultural Products
<http://www.fas.usda.gov/gainfiles/200903/146347645.pdf>

APPENDIX I. GOVERNMENT REGULATORY AGENCY CONTACTS

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

Alfonso Carballo Perez
Sectoral Regulatory Improvement, Director General
Chargé of COFEMER, Director General
Coordinador General de Mejora Regulatoria Sectorial y Director General Encargado de COFEMER
Tel.: 5629-9650; 5629-9500, Ext. 22670
acarballo@cofemer.gob.mx

Lic. Rafael Gonzalez Vazquez
Assistant
Tel.: 5629-9650; 5629-9500, Ext. 22670
rgonzalezv@cofemer.gob.mx

Jorge Jimenez Ruiz
Energy, Infrastructure and Environment Director
Tel.: 5629-9500, Ext. 22612
jjimenez@cofemer.gob.mx

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

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

PBX: 52 (55) 5080 5200 Ext. 1404

Phone: 52 (55) 5514 8572

Fax: 52 (55) 5514 8557

Rocioal@Salud.gob.mx

Lucio Galileo Lastra Marin

Commissioner of Sanitary Operation

Phone: 52 (55) 5080 5200 Ext. 1229

Fax: 52 (55) 5080 5200 Ext. 1005

lgalilero@cofepris.gob.mx

Francisco Javier Acosta Minquini

General Coordinator of the Sanitary Federal System

Phone: 52 (55) 5080 5200 Ext. 1200 & 1201

facosta@cofepris.gob.mx

www.cofepris.gob.mx

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

Enrique Sanchez Cruz

Director in Chief of SENASICA

Phone: 52 (55) 5905 1005

Fax: 52 (55) 5105 1003

directorenjefe@senasica.sagarpa.gob.mx

www.senasica.gob.mx

Francisco Javier Trujillo Arriaga

Plant Health General Director

Phone: 52 (55) 5090 3000 Ext. 51319

Fax: 52 (55) 5554 0529

trujillo@senasica.sagarpa.gob.mx

Sria.dgsv@senasica.sagarpa.gob.mx

Francisco Velarde García

Animal Health General Director

Phone: 52 (55) 5905 1007, 5905 1000, ext. 51055

Fax: 52 (55) 5905 1000, ext. 51183

dir.dgsa@senasica.sagarpa.gob.mx

Ing. Arturo Calderon

Phytosanitary Inspection General Director

Phone: 52 (55) 5905 1012, Ext. 51019

Fax: 52 (55) 5905 1000 Ext 51183

arturo.calderon@senasica.gob.mx

M.V.Z. Octavio Carranza de Mendoza

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

At SALUD (Ministry of Health)

María De Las Mercedes Juan López
Commissioner of Sanitary Operation
Phone: 52 (55) 5080 5200 Ext. 1229
Fax: 52 (55) 5080 5200 Ext. 1005
Mjuan@Salud.Gob.Mx

APPENDIX II. Other Import Specialist Contacts SPECIALIST CONTACTS

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

Lic. Fabrice Salamanca Ract
Executive President and Director General of AgroBio Mexico
Dakota 204 Suite 302, Col. Nápoles
03810 México D.F.
Phone: (52 55) 55 43 84 89
Fax: 5543 66 76
fsalamanca@agrobiomexico.org.mx
<http://www.agrobiomexico.org.mx/index.htm>

APPENDIX III. LIST OF APPROVED FOOD ADDITIVES HERMETICALLY SEALED SUBJECT TO HEAT TREATMENT

Permitted:

ADDITIVES	PRODUCTS	MAXIMUM LIMIT
pH REGULATORS		
Acetic acid	Pickled mushrooms Preserved tomatoes and their by-products, preserved asparagus, sauces with or without hot spices and chili peppers, fruit purees. Edible mushrooms and their products, evaporated milk.	20g/kg GMP GMP
Citric acid	Edible mushrooms Processed tomato concentrates Purees, jellies, fruit pastes, jams. Preserved palm hearts, hot mango sauce Sour creams Preserved tomatoes and their by-products, fruits in syrup, sauces, preserved edible mushrooms, juices and nectars, asparagus, beans, onions and peas.	GMP, except for sterilized mushrooms, alone or mixed with lactic acid up to a maximum of 5g/kg GMP GMP GMP GMP GMP
Fumaric acid	Purees, jellies, fruit pastes, jams.	Alone or mixed with tartaric acid and its salts expressed as acid to keep the pH at a level between 2,8 and 3,5 up to a maximum of 3g/kg
Lactic acid	Jellies, fruit pastes and jams. Processed tomato concentrates, evaporated milk Preserved tomatoes, preserved fruits and nectars. Sour creams Edible mushrooms	GMP GMP GMP GMP Alone or mixed with citric acid only for sterilized mushrooms, up to a maximum of 5g/kg.
Malic acid	Processed tomato concentrates Jellies, fruit pastes and jams Preserved tomatoes, preserved fruits, juices and nectars.	GMP GMP GMP
Tartaric acid	Fruits in syrup, purees, jellies, fruit pastes, jams, juices and nectars.	Alone or mixed with fumaric acid and its salts expressed as acid to keep the pH at a level between 2,8 and 3,5 up to a maximum of 3g/kg
Potassium bicarbonate	Fruits in syrup, purees, jellies, fruit pastes, jams.	GMP
Calcium carbonate	Evaporated milk	Alone or mixed up to a maximum of 2g/kg
Potassium carbonate	Fruits in syrup, purees, jellies, fruit pastes, jams. Soups	GMP GMP
Sodium carbonate	Fruits in syrup, purees, jellies, fruit pastes, jams. Processed tomato concentrates and their by-products Peas	GMP GMP Alone or mixed with trisodium citrate (firming and softening agents cannot be used in the same product) up to a maximum of 150 mg/kg.
Sodium citrate	Fruits in syrup, purees, jellies, fruit pastes, jams, juices, nectars and sauces. Cream and sour cream	GMP GMP
Sodium fumarate	Purees, jellies, fruit pastes, jams.	Alone or mixed with tartaric acid and its salts expressed as acid to keep the pH at a

		level between 2,8 and 3,5 up to a maximum of 2 g/kg
Calcium lactate	Fruits in syrup, purees, jellies, fruit pastes, jams. Preserved grapefruit, preserved tropical fruit salad, preserved tomatoes and their by-products. Preserved pulses	Alone or mixed with other firming agents expressed as calcium to keep the pH at a level between 2,8 and 3,5 up to a maximum of 200 mg/kg. 350 mg/kg Alone or mixed up to a maximum of 350 mg/kg.
Sodium lactate	Fruits in syrup, purees, jellies, fruit pastes, jams.	GMP
(L+) Potassium tartrate	Fruits in syrup, purees, jellies, fruit pastes, jams.	Alone or mixed with fumaric acid and its salts expressed as acid to keep the pH between 2,8 and 3,5 up to a maximum of 3 g/kg
(L+) Sodium tartrate	Fruits in syrup, purees, jellies, fruit pastes, jams.	Alone or mixed with tartaric acid and its salts expressed as acid to keep the pH between 2,8 and 3,5 up to a maximum of 3 g/kg
(L+) Potassium and sodium tartrate	Fruits in syrup, purees, jellies, fruit pastes, jams.	Alone or mixed with fumaric acid and its salts expressed as acid to keep the pH between 2,8 and 3,5 up to a maximum of 3 g/kg

ANTIFROTHING AGENTS

dimethylpolysiloxane	Preserved fruits, jams, purees, jellies, fruit pastes, juices and nectars.	10 mg/kg
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ANTIOXIDANTS

Ascorbic acid and its sodium and calcium salts	Purees, jelly, fruit paste, jam and apples in syrup. Puree, jelly, fruit paste, jam and mangos in syrup. Preserved chestnuts and chestnut puree, preserved palm hearts Juices and nectars Preserved fruit cocktail, fruits in syrup, purees, jellies, fruit pastes, jams. Puree, jelly, fruit paste, jam and peaches in syrup.	Alone or mixed with ascorbic acid up to a maximum of 150 mg/kg. Alone or mixed with ascorbic acid up to a maximum of 200 mg/kg. 300 mg/kg 250 mg/kg 500 mg/kg 550 mg/kg
Eritorbic acid and its sodium salt	Preserved tropical fruit salad Puree, jelly, fruit paste, jam and blackcurrant in syrup. Edible mushrooms and their products, preserved seta mushrooms, preserved asparagus, preserved vegetables. Puree, jelly, fruit paste, jam and apples in syrup, juices and nectars.	700 mg/kg 750 mg/kg GMP Alone or mixed with ascorbic acid up to a maximum of 150 mg/kg

COLORINGS

Natural organic colorings.	Juices and nectars, jams, preserved vegetables and sauces.	GMP
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EMULSIFIERS

Fatty acid monoglycerides and diglycerides	Fruits in syrup, purees, jellies, fruit pastes, jams. Cream	GMP 5g/kg alone or mixed with other thickeners
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FLAVORING OR AROMA AGENTS

Bitter almond oil	Preserved tropical fruit salad, preserved fruit salad.	40 mg/kg, total product, only for enhancing the
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		aroma of artificially colored cherries.
Cinnamon aroma or flavor	Fruits in syrup, purees, jellies, fruit pastes and jams.	GMP
Mint aroma or flavor	Fruit in syrup, purees, jellies, fruit pastes, jams and fruit cocktail.	GMP
Natural aromas or flavorings, aromas or flavorings identical to the natural ones	Fruits in syrup, purees, jellies, fruit pastes, jams, preserved grapefruit, preserved fruit salad, preserved fruit cocktail, preserved cucumbers, preserved plums, juices and nectars.	GMP
Cherry laurel essence	Preserved tropical fruit salad, preserved fruit salad	40 mg/kg, total product, only for enhancing the aroma of artificially colored cherries
Vanilla extract and vanillin	Preserved chestnuts and chestnut puree, fruits in syrup, purees, jellies, fruit pastes, jams.	GMP
Liquid smoke	Chipotle chilies, chipotle chili sauces	GMP
FLAVOR ENHANCERS		
Potassium chlorate	Evaporated milk	Alone or mixed up to a maximum of 2 g/kg
L-Monosodium glutamate	Preserved asparagus and preserved mushrooms, tomato and its by-products, non-spicy sauces and soups. Caldo gallego, fabada, beans, paella and pozole	GMP 0,5 g/kg
PRESERVATIVES		
Sorbic acid	Jams	Alone or mixed expressed as sorbic acid up to a maximum of 500 mg/kg
Sodium benzoate	Sauces, fruits in syrup, purees, jellies, fruit pastes, jams and juices	Alone or mixed up to a maximum of 1000 mg/kg
Sulfur dioxide	Preserved chestnuts Fruits in syrup, purees, fruit pastes, jellies, jams.	30 mg/kg calculated as SO ₂ 100 mg/kg due to transfer effect
EDTA	Sauces, mushrooms in brine and in escabeche, mangos in syrup	75 mg/kg
Sodium metabisulfite	Non-spicy sauces, juices	Alone or mixed up to a maximum of 100 mg/kg
Methylparaben	Jellies and fruits in syrup	Alone or mixed up to a maximum of 1000 mg/kg
Potassium sorbate and sodium sorbate	Fruit pastes, jellies and juices	Alone or mixed up to a maximum of 1000 mg/kg expressed as the acid
STABILIZERS		
Potassium phosphate tribasic or sodium phosphate tribasic	Evaporated milk and cream	Alone or mixed up to a maximum of 2 g/kg
Sodium phosphate	Evaporated milk and cream	Alone or mixed up to a maximum of 2 g/kg
Potassium or sodium metaphosphate	Milk beverages Evaporated milk and cream	2 g/l Alone or mixed up to a maximum of 2 g/kg
Sodium tripolyphosphate	Evaporated milk and cream	Alone or mixed up to a maximum of 2 g/kg
THICKENERS		
Ammonium alginate	Products that are heat treated, after fermentation.	Alone or mixed with other stabilizers and thickeners up to a maximum of 5 g/kg

Calcium alginate	Bean, corn, asparagus, pea, and mushroom soups, and preserved carrots.	Alone or mixed with other thickeners up to a maximum of 10 g/kg
Potassium alginate and Sodium alginate	Preserved asparagus	Alone or mixed with other solubilizers and dispersants up to a maximum of 500 mg/kg
	Bean, corn, asparagus, pea, and mushroom soups, and preserved carrots Creams	Alone or mixed with other thickeners up to a maximum of 10 g/kg Alone or mixed with other thickeners up to a maximum of 5g/kg
Propylene glycol alginate	Preserved asparagus, preserved mushrooms	Alone or mixed with other solubilizers and dispersants up to a maximum of 500 mg/kg
	Bean, corn, asparagus, pea and mushroom soups and preserved carrots.	Alone or mixed with other thickeners up to a maximum of 10 g/kg
Starches, modified or not	Preserved asparagus, preserved tomatoes and their by-products.	Alone or mixed with other thickeners when the product contains butter, other fats and oils up to a maximum of 10 g/kg
	Sauces Soups Creams	GMP Alone or mixed with other thickeners up to a maximum of 8 g/kg Alone or mixed with other thickeners up to a maximum of 5g/kg
Sodium carboxymethylcellulose	Sauces	GMP
	Tomato-based beverages	GMP
Carragenin	Preserved asparagus	Alone or mixed with other solubilizers and dispersants up to a maximum of 500 mg/kg
	Bean, corn, asparagus, pea and mushroom soups and preserved carrots Evaporated milk Creams	Alone or mixed with other thickeners up to a maximum of 10 g/kg 150 mg/kg Alone or mixed with other thickeners up to a maximum of 5g/kg
Carob gum	Preserved carrots	Alone or mixed with other thickeners up to a maximum of 10 g/kg
	Creams	Alone or mixed with other thickeners up to a maximum of 5g/kg
	Flavored ready-to-drink dairy beverages	Alone or mixed with other thickeners up to a maximum of 5g/kg
Gum arabic	Preserved asparagus, preserved mushrooms	Alone or mixed with other thickeners when the product contains butter or other fats and oils up to a maximum of 10 g/kg
	Bean, corn, asparagus, pea and mushroom soups and preserved carrots	Alone or mixed with other thickeners up to a maximum of 10 g/kg
Guar gum	Preserved asparagus, preserved mushrooms	Alone or mixed with other thickeners when the product contains butter or other fats

	Bean, corn, asparagus, pea and mushroom soups and preserved carrots Creams	and oils up to a maximum of 10 g/kg Alone or mixed with other thickeners up to a maximum of 10 g/kg Alone or mixed with other thickeners up to a maximum of 5 g/kg
Xanthan gum	Sauces Creams	Alone or mixed with other solubilizers and dispersants up to a maximum of 500 mg/kg Alone or mixed with other thickeners up to a maximum of 5g/kg
Methylcellulose	Preserved mandarin oranges Spaghetti sauce	10 g/kg (as a cloudifier) GMP
Pectin (amidated and non-amidated)	Preserved mangos, juices and nectars, jams, jellies and fruit pastes Chestnuts and chestnut puree Preserved asparagus, sauces	GMP Alone or mixed up to a maximum of 10 g/kg Alone or mixed with other thickeners when the product contains butter or other fats and oils, up to a maximum of 10 g/kg
	Asparagus, pea and mushroom soups Creams	Alone or mixed with other thickeners up to a maximum of 10g/kg Alone or mixed with other thickeners up to a maximum of 5g/kg

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	SSA	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	MEDIO AMBIENTE
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