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Required Report - public distribution

Date: 12/7/2018

GAIN Report Number: MX8514

Mexico

Food and Agricultural Import Regulations and Standards Report

FAIRS Annual Country Report

Approved By:

Orestes Vasquez

Prepared By:

Eduardo Lozano

Report Highlights:

This document provides an overview of major Mexican laws and regulations that cover agricultural and food products, as well as import regulations for agricultural products into Mexico. It is important to note some products may be subject to several import laws and regulations under different Mexican government agencies.

Section I. General Food Laws

The General Directorate for Standards ([Dirección General de Normas](#)) of the Mexican Secretariat of Economy is responsible for coordinating the standardization and conformity assessment system based on the provisions of the [Federal Metrology and Standardization Law](#) and its Regulations. Mexican Secretariats and various government agencies are required to develop standards or *Normas Oficiales Mexicanas*, also known as NOMs, under the framework of the law.

NOMs are technical regulations that contain information, requirements, specifications, procedures, and methodologies that allow government agencies to implement measures aimed at protecting the welfare of its residents, animals, plants, and environment. NOMs are developed for a wide variety of products and services, including agricultural and food products and the process of importing these goods. Government agencies are required to revise NOMs at least every five years. Following the revision, NOMs are ratified, modified, or cancelled. NOMs are published in the *Diario Oficial de la Federación* (DOF) which is equivalent to the U.S. Federal Register. Electronic versions of current NOMs are available at <http://www.economia-noms.gob.mx>.

Laws applicable to agricultural and food products imported into Mexico include the General Health Law, the Federal Animal Health Law, and the Federal Law for Plant Health.

[General Health Law](#) – Under the law, the Secretariat of Health ([SALUD](#)), through its operating arm, the Federal Commission for Protection against Sanitary Risks ([COFEPRIS](#)), implements and enforces sanitary regulations to protect the population against health risks. Based on health risks, COFEPRIS determines if food and food products imported into Mexico are subject to an import permit prior to importation. COFEPRIS randomly inspects food products at point of sale to verify compliance with current food labeling regulations, and samples food products to guarantee that such products are safe for human consumption. Foods subjected to import permits include dairy and dairy products, seafood and seafood products and some dietary products. The complete list of products requiring import permits can be found in the original DOF publication of the [Classification of Products subject to health regulation by SALUD](#). The original listing has been slightly modified several times: in [2015](#), again in [2016](#) and the last time in [2018](#). It is highly recommended to check with FAS Mexico for the latest version of this and all other regulations.

[Federal Animal Health Law](#) – The law falls under the authority of Mexico's Secretariat of Agriculture and Rural Development ([SADER](#)). The purpose of the law is to establish the necessary animal health measures to safeguard Mexico's livestock assets/heritage. These measures include the application of best management practices for livestock production, regulations for the national and international transit of animals and animal products for import and export purposes, and the operation of verification and inspection points (VIPs) for animals and animal products. This law also covers good manufacturing practices (GMP) applicable for establishments dedicated to the production of chemical, pharmaceutical or biological compounds for use in animals or in feed; and GMP's for establishments that process animal and animal products for human consumption.

Regulations for imports, international transit, and exports are contained in Title Three, Chapter II of the law. SADER's National Service for Health, Food Safety, and Food Quality ([SENASICA](#)) is responsible for implementing and enforcing regulations of the aforementioned law. SENASICA's specific import requirements for live animals, animal products and by-products, and seafood are contained in a document known as zoosanitary requirement sheet or *Hoja de Requisitos Zoosanitarios* (HRZ). Applicable and updated requirements are available in SENASICA's [Módulo de consulta de requisitos para la importación de mercancías zoosanitarias](#).

The law gives SADER the authority to oversee pet food and animal feed and to regulate products such as feed additives and pharmaceuticals used in livestock production, as well as determining their maximum residue levels.

[The Federal Law for Plant Health](#) –This law also falls under the purview of SADER. Topics covered under the law include pest identification and measures to prevent the introduction of pests that represent a phytosanitary risk for fruits, vegetables, and their by-products. Phytosanitary requirements for importing regulated goods, as well as provisions covering inspection and certification of imported goods, are contained in Title Four, Chapter III and Chapter IV. SENASICA is responsible for implementing and enforcing regulations of the aforementioned law. The specific import requirements for plant and plant products can be viewed online in SENASICA's [Módulo de consulta de requisitos fitosanitarios para la importación de mercancía de origen vegetal](#).

[The General Law on Sustainable Forestry Development](#) – This law falls under the authority of the Ministry of Environment and Natural Resources ([SEMARNAT](#)). The law regulates and promotes conservation, restoration, organization, development, management, and exploitation of the country's forestry ecosystems and their resources.

It also regulates the trade of forest products and by-products, including wood packaging material used for transporting goods. These rules are contained in Chapter III, Articles 129 through 139. Specific import requirements for wood packaging materials, Christmas trees, wood by-products used as raw material in basketry, and sawn wood are contained in NOMs under SEMARNAT's responsibility:

Christmas trees: [NOM-013-SEMARNAT-2013](#)

Wood by-products used as raw material: [NOM-029-SEMARNAT-2003](#)

Sawn Wood: [NOM-016-SEMARNAT-2013](#)

The Federal Prosecutor for Environmental Protection ([PROFEPA](#)) is SEMARNAT's operating arm and is responsible for enforcing these regulations at ports of entry.

For additional information on lumber regulations please review the following GAIN Reports: [MX3020 Phytosanitary Regulations for Lumber Importations](#) and [MX4086 Change to Certificates Required to Export Lumber to Mexico](#)

[Law on Biosafety of Genetically Modified Organisms](#) – The application of the regulations of this law fall under SADER, SEMARNAT and SALUD, each with their respective fields of competence. The Law on Biosecurity of Genetically Modified Organisms regulates the import, export, commercialization, research, and release of genetically modified organisms. The objective of the law is to prevent, avoid, or reduce the risks that the aforementioned activities may cause to human health, the environment, biological diversity, or the health of plants and animals. Additional second-tier regulations under the law can be found at [Regulations for Law on Biosafety of Genetically Modified Organisms](#) document.

Section II. Labeling Requirements:

In general, specific labeling requirements for processed consumer-ready and non-alcoholic beverages for retail in Mexico are included in [NOM-051-SCFI-/Salud1-2010, General Specifications for Labeling Pre-packaged Foods and Non-alcoholic Beverages](#), or NOM-051 for short. NOM-051 became effective on January 1, 2011. The enforcement of NOM-051 is done jointly by the Federal Consumer Protection Agency ([PROFECO](#)), which is part of the Secretariat of the Economy, and by COFEPRIS. The Mexican importer is responsible for making sure that the products comply with the aforementioned NOM. U.S. exporters should keep abreast of applicable labeling requirements by maintaining close communication with the Mexican importer.

General Labeling Requirements

The original label in English may remain on the package as long as an additional label in Spanish-meeting labeling requirements-is affixed. Otherwise, the product can be packaged for the local Mexican market with the label in Spanish. In addition, if more than one language is used, Spanish content must be in a font size that is equal or larger than those used for other languages. Adhesive labels/stickers are permitted as long as they remain adhered to the package until the consumer uses the product.

When a U.S. nutrition panel appears on the package, a second panel must be in Spanish. The panel must be affixed over the U.S. nutrition panel.

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

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

Front of Pack Nutrition Labeling

On April 15, 2014, the COFEPRIS announced new guidelines for the labeling of processed packaged foods, making it mandatory to include a front-of-pack (FOP) nutrition label with nutritional information on sugar, sodium, fats, and caloric content per portion. For additional information please see GAIN Report [MX 4305 Mexico's New Front-of-Pack Labeling Regulations](#)

Biotechnology Labeling

The Biosafety Law does not require labeling for packaged foods and feeds that are equivalent to the conventionally produced commodities, but labeling is required for seeds for planting. Labeling information should include the fact that the planting seeds are genetically engineered, the characteristics of the acquired genetic combination, implications with regard to special conditions and growing requirements, and changes in reproductive and productive characteristics.

Organic Labeling

The U.S. and Mexican governments continue to work toward establishing organic equivalency between the two countries. However, in the interim Mexico continues to accept U.S. organic products labeled with the USDA organic seal.

For additional information please read GAIN Report [MX5020 Mexico Officially Extends Deadline to Comply with Organic Regulation and](#) GAIN Report [MX3313 New Organic Certification and Product Labeling Program in Mexico.](#)

Labeling Procedures for Border Areas

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

For additional information please read GAIN Report [MX2501 Simplified Procedures in Mexico's Border Areas.](#)

Labeling of Bulk Shipments

SENASICA requires that products under a work plan with USDA be labeled with specific information, including the name and address of the facility where the product was treated, the packing date, and the net weight or number of pieces of product (e.g., individual pieces of fruit) in the full shipment. This quantity should correspond to the quantity listed on the APHIS phytosanitary export certificate.

Agricultural and Food Samples

Prior to sending samples into Mexico, the interested party should be cognizant of current import requirements for the type of product sample. Mexico requires that samples imported into Mexico meet the corresponding regulations of a commercial shipment. We encourage the reader to contact his Mexican counterpart for additional information.

The import of samples of products for animal use or for animal consumption, can only be carried out by establishments or marketers approved by SENASICA. Please refer to the guidelines established for [products for animal use or animal consumption](#).

Food, food supplements, and non-alcoholic beverages not approved for commercialization in Mexico, can be imported as samples or for personal consumption through the issuance of an import license, as well as following current sanitary legislation and other applicable import requirements. Please follow the guidelines defined for [products for human consumption](#).

Section III. Packaging and Container Requirements:

The General Health Law grants SALUD the authority to regulate the packaging of food, alcoholic and non-alcoholic beverages, and tobacco. Manufacturers of metal containers for food and beverages, as well as importers and distributors of canned foods and beverages, are required to comply with [NOM-002-Salud1-1993](#). This regulation prohibits the sale or import of foods or beverages in metal containers with lead solders and specifies the type of seams permitted for hermetically sealed containers.

[NOM-130-Salud1-1995](#) lays out basic sanitary requirements for hermetically sealed products with thermal treatment, including limits on microorganisms, heavy metals, and additives.

Section IV. Food Additives Regulations:

SALUD, through COFEPRIS, regulates the use of additives in the preparation of food for human consumption. On July 16, 2012, SALUD published a guideline that determines additives and others substances (colorants, enzymes, synthetic flavors) used in food, beverages and food supplements, its uses, and sanitary guidelines with the purpose of reinforcing the food safety of edible products and the health of the consumers. The document is the reference for permitted and prohibited additives as well as the maximum and minimum levels of additives in food, beverages and food supplements.

The guidelines authorize COFEPRIS to maintain and update the listings on its official website, so the [original listing](#), its two first modifications already published in DOF (back in [2013](#), and then in [2016](#)) and the current modifications not yet published in DOF (but valid) can be found at <https://www.gob.mx/cofepris/acciones-y-programas/aditivos-alimentarios-no-publicados-en-el-dof>.

[NOM-130-Salud1-1995](#) establishes the regulation and sanitary specifications for foods in hermetically sealed containers subject to heat treatment and includes the list of authorized food additives for canned foods and permissible amounts.

[NOM-213-Salud1-2002](#) addresses the sanitary specifications for processed meat products and includes a list of permitted additives subject to best manufacturing practices, as well as a list of additives for which specific maximum levels have been established.

Section V. Pesticide and Other Contaminants:

The Inter-Secretariat Commission for the Control Process and Use of Pesticides, Fertilizers and Toxic Substances (CICLOPLAFEST) governs the use of pesticides in Mexico. Although it is

not a regulatory body itself, the Commission coordinates the Mexican government's 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 SADER, SEMARNAT, SALUD, and the Secretariat of Economy.

The federal regulation on registration, import and export authorization, and export certificates for pesticides, fertilizers, and toxic materials lays out the procedures for pesticide registrations. SALUD, through COFEPRIS, is responsible for [authorizing registrations and issuing free sale certificates for pesticides, as well as granting import permits](#). SEMARNAT provides technical opinions regarding the protection of the environment, while SADER provides technical support regarding the biological effectiveness of pesticides and fertilizers and on phytosanitary aspects of maximum residue levels.

On August 11, 2015, SADER published in DOF the official standard NOM-032- FITO-1995, which establishes requirements and specifications to prepare studies on the biological effectiveness of agricultural pesticides, including the preparation of a Technical Report of Biological Effectiveness. The pesticides must be evaluated to determine their efficiency and performance under Mexico's field conditions and to assess their usefulness. Therefore, the information analyzed in the report must be grounded in science and good laboratory practices. For more information, please read GAIN Report [MX 5032 Final Modifications to Pesticide Registration NOM-032](#).

On October 9, 2014, SADER consolidated its regulation of maximum residue levels for animal and fishery products by cancelling the existing NOMs and publishing in DOF a new [Regulation outlining the establishment of MRLs monitoring of residues in animal products](#).

Section VI. Other Regulations and Requirements

For products requiring import permits from COFEPRIS, these need to arrive along with a Certificate of Analysis (COA). The COA must include physical, chemical, and microbiological analysis per lot of product in the consignment. It can be done by an accredited laboratory.

The complete list of products requiring import permits can be found in the original DOF publication of the [Classification of Products subject to health regulation by SALUD](#). The original listing has been slightly modified several times: in [2015](#), again in [2016](#) and the last time in [2018](#). It is highly recommended to check with FAS Mexico for the latest version of this and all other regulations.

Section VII. Other Specific Standards:

Imports of agricultural and food products exported to Mexico are subject to documentary and physical inspection at port of entry to ensure current import requirements are met.

Import Requirements for Animals and Plants (SADER)

As noted above, imports of live animals (including aquatic) and plants, animal and plant products, and byproducts must comply with the requirements specified by SADER and implemented through its regulatory agency, SENASICA. SENASICA inspectors at port of entry ensure that agricultural and food products imported into Mexico comply with applicable import

requirements. Current import regulations for animal, animal by-products and plants can be obtained through SENASICA's on-line system:

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

Genetically Modified Organisms

As noted previously, the GMO Biosafety Law (*Ley de Bioseguridad de Organismos Genéticamente Modificados*), published in March 2005, regulates the commerce, release, marketing, and import of GMOs taking into account the impact on human health, the environment, biological diversity, and plant, animal, and aquatic health.

Mexico does not make a distinction between food and feed approval of GMOs; SALUD approves both for animal and human consumption. Since 1995, there have been a growing number of genetically engineered commodities approved for food and feed.

Requests for approval must include an assessment by SALUD for potential risks to human health. The guidelines, requirements, and procedures for applying for approvals for GMOs or GMO-containing products for human consumption are laid out in the [Regulations to the Genetically Modified Organisms Biosafety Law](#) published on March 19, 2008. Approvals are generally determined within six months from the submission of the application. COFEPRIS [maintains a list of GMOs approved for import and sale in Mexico.](#)

The Ministry of Finance and Public Credit ([HACIENDA](#)) has the authority over importation of GMOs and products containing GMOs. The authority includes ensuring that the appropriate permits or authorizations are in place, and that it meets all phytosanitary requirements. The law specifically prohibits, for example, the import into Mexico of GMOs or products containing GMOs in cases where such organisms are prohibited in their countries of origin.

Organic Products

In October 2013, SADER, via its regulatory agency SENASICA, issued revised organic production guidelines. These are Mexico's equivalent of the USDA National Organic Program, including production certification requirements and processes, lists of approved pesticides and fertilizers, and marketing and labeling regulations. These guidelines can be viewed in the original publication in DOF of the [General Rules for the use of the Organic Seal in the labels of products certified as organic.](#)

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 its derived 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 legal challenge. Once trademark registrations are issued, they 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](#)), an independent agency that operates under the Secretariat of Economy. U.S. exporters of food and agricultural products may contact the Office of Agricultural Affairs or the Agricultural Trade Office with any intellectual property concerns.

Section IX. Import Procedures:

Mexican customs brokers are responsible for clearing imported products. Mexican importers are encouraged to work with a Mexican customs broker who has experience in clearing agricultural products to avoid problems during the export-import process. The brokers are authorized by the Mexican Internal Tax Registry ([Servicio de Administración Tributaria](#)) to handle the customs clearance operations. In addition, Mexican companies that import agricultural products must be registered within the Mexican Customs Authority in their Importers' Database ([Padrón de Importadores](#)).

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

- Commercial Invoice or Bill of Sale;
- Required Sanitary and Phytosanitary Certificates (issued either by the Animal and Plant Health Inspection Service [APHIS] or the Food Safety and Inspection Service [FSIS]), and/or any other relevant U.S. government regulatory authorities;
- Certificate of Origin (Note: A complete certificate of origin must be completed for products to receive NAFTA treatment);
- Technical information on product classification (tariff code, which complies with the uniform customs identification system under the General Agreement on Tariffs and Trade);
- Commercial information regarding lot (batch) number, brand and product appearance in addition to weight and volume certificate (for bulk products);
- Air or land freight shipping guide;
- Duty payments (please check this with your importer).

Finally, customs brokers will process an Import Declaration (*Pedimento de Importación*) based on the provided information.

Other documents that may be required in the export process include:

- Shippers Export Declaration (Required by U.S. Customs for all shipments over \$2,500 USD.)
- Meat and Poultry Export Certificate of Wholesomeness, accompanied by a Letterhead Certificate
- Free Sale Certificate
- Export Packing List
- Bill of Lading

As previously noted in this document, certain products require an import permit from COFEPRIS and must be accompanied by a certificate of analysis. See Section VII for more details.

The Mexican importer has the responsibility of notifying the U.S. exporter about sanitary and other requirements prior to shipment. This will enable the U.S. exporter to meet all requirements fully (e.g., AMS, APHIS, and FSIS certification). For information on certificates issued by US government agencies please read the updated GAIN Report [MX7505 - Food and Agricultural Import Regulations and Standards – Certification](#).

The documents mentioned are subject to specific regulations, so please make sure to look for specific product requirements by tariff code before attempting to export the products into Mexico. Additionally, it is important to know your product's tariff code in order to learn if tariffs apply and if it is subject to commodity-specific tariff rate quotas. This, in turn, will lessen delays in deliveries, storage fees, and food decay, and will allow for a better appraisal of costs.

Inspection Modernization Efforts

In recent years, SENASICA has made a concentrated effort to modernize its import procedures, in order to facilitate trade and reduce costs. This initiative, known as the Comprehensive System of Inspection Service (SISI), has been in pilot stages for some time. The first part of this pilot has been expedited entry for a variety of low-risk, high-volume products that enter Mexico by rail (see GAIN report [MX6007 Mexico's SISI Program Offers Expedited Entry for Low-Risk Products](#) for eligible products and other details). Other modernization efforts include e-certification and joint U.S.-Mexican inspection at certain border crossings, among others.

Appendix I. Government Regulatory Agencies Contact:

SENASICA – SADER

<https://www.gob.mx/senasica>

SEMARNAT

<https://www.gob.mx/semarnat>

COFEPRIS – SALUD

<https://www.gob.mx/cofepris>

Appendix II. Other Import Specialist Contacts:

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

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

T: +52 (55) 5080-2868

E: agmexicogroup@usda.gov

U.S. Agricultural Trade Office in Monterrey, Mexico
T: +52 (81) 8047- 3232
E: atomonterrey@fas.usda.gov

U.S. Agricultural Trade Office in Mexico City, Mexico
T: +52 (55) 5080-2000 ext. 5282
E: atomexico@fas.usda.gov

Author Defined:

The reader should have in mind that on December 1, 2018, Mexico transitioned to a new administration under President Andres Manuel Lopez Obrador. Although as of date no changes have been implemented, it is recommended that the reader stay up-to-date with the new administration's policies, as well as any changes due to the new United States-Mexico-Canada Agreement (USMCA) by accessing updated GAIN Reports. Nonetheless, the Secretariat of Agriculture, Livestock, Rural Development, Fishery, and Food (SAGARPA) is now the Secretariat of Agriculture and Rural Development (SADER).

FAS ATO Monterrey has expert advice for exporters, customs agents, freight forwarders and Mexican importers about correct documentation procedures, and logistics to successfully export to Mexico. ATO Monterrey monitors trade flow along the US-Mexican border and works with the Office of Agricultural Affairs in Mexico City to facilitate trade into Mexico. ATO Monterrey can be reached at: ato.monterrey@fas.usda.gov

Disclaimer: This report was prepared by the Agricultural Trade Office of the USDA / Foreign Agricultural Service in Monterrey, Mexico, for U.S. exporters of food and agricultural products. This document reviews some of Mexico's principal laws and regulations that apply to food and food products imported into Mexico. While every possible care was taken in the preparation of this report, information provided should not be considered definitive, as laws and regulations may have changed since its preparation, or because clear and consistent information about current laws was not available. U.S. exporters should verify the full set of import requirements with their customers in Mexico before goods are shipped. Final import approval of any product is subject to the importing country's rules and regulations as interpreted by inspection officials at the port of entry.