

THE REGULATORY ENVIRONMENT

The Mexican government closely regulates fishing catches and practices, and also has strict health and sanitary regulations affecting imported seafood.

Article 27 of the Mexican constitution establishes the fishery as a national resource, subject to special regulation. The exploitation of this resource is limited to Mexican citizens, with foreign ownership of fishing companies being limited to 49 percent under the 1992 Foreign Investment Law. Foreign investors may, however, own up to 100 percent of storage, distribution, processing and marketing operations as well as aquaculture operations.

A series of *Normas Oficiales Mexicanas (NOMs)*, official standards, regulates the fishing industry. These are issued under the authority of the *Ley de Pesca y su Reglamento*, Fishery Law and its regulation. There are separate *NOMs* covering the harvest of tuna, sardine, shellfish, abalone, lobster, sea urchin and octopus. Several additional standards are concerned with sanitary standards for fish products, and others govern specific fishing zones.

Mexico has been working to bring its internal standards in line with international norms. The *Secretaría del Medio Ambiente, Recursos Naturales y Pesca (Semarnap)*, Secretariat of Environment, Natural Resources and Fisheries, is responsible for the administration of the *Ley de Pesca y su Reglamento*. A large number of new regulations have been implemented, especially in the shrimp fishery. This has caused considerable concern by the *Cámara Nacional de la Industria Pesquera (Canainpes)*, National Fishing Industry Association, which is concerned that the new regulations are based too heavily on science and do not take sufficient account of the economic situation of the industry. Nonetheless, there is serious concern about overfishing in Mexico and tighter regulation is expected to proceed.

The Government of Mexico also regulates the safety of food products sold to the public, under the *Ley General de Salud*, General Health Law. All fish and seafood products, whether fresh, frozen or preserved, must meet food safety regulations administered by the *Secretaría de Salud (SS)*, Secretariat of Health. These regulations can be complex, and are subject to frequent revision. In general, it is the importer's responsibility to see that all sanitary requirements are met and permits obtained. But the exporter must assist, to ensure that proper documentation is available.