

The Mexican government has issued two executive decrees that specify products which are subject to special certification requirements at the border. A decree issued by *SECOFI*, dated August 29, 1994, lists products that require some kind of prior authorization from either the Secretariats of Health or Agriculture. A decree issued by *SECOFI* on March 8, 1994 lists products for which certificates of compliance are required.

These regulations are subject to change at any time. For example, a decree issued March 8, 1994, was the subject of several "clarifications" before it was replaced by the August 29, 1994 decree. The Canadian exporter should therefore rely on the Mexican agent or importer or a Canadian customs broker for advice on the application of special product regulations.

CERTIFICATE OF COMPLIANCE

Many products in Mexico have long been subject to specific quality standards, known as *Normas Oficiales Mexicanas (NOMs)*, official standards. These standards deal with a variety of product-specific technical issues, and some of them also include special product-labelling requirements. In most cases, certificates of compliance are required to demonstrate that the product satisfies the standard. Clothing and textiles, leather products, electrical appliances, medical equipment and supplies, foods and beverages, and chemicals are among the product categories that may be subject to these specific requirements.

Until recently, compliance with the *NOM* certification requirements was the responsibility of the importer. In March 1994, the Government of Mexico published an Executive Decree which states that *NOM* certification, as well as general labelling requirements, will be enforced at the border. This means that compliance with the *NOMs* has effectively become the responsibility of the Canadian exporter.

Products for which *NOMs* have been issued must be tested in Mexico and a certificate of compliance must be obtained from the *Secretaría de Comercio y Fomento Industrial (SECOFI)*, *Dirección General de Normas*, Secretariat of Commerce and Industrial Development, Bureau of Standards, or from an agency accredited by them. This certificate must accompany the goods when they are imported. The Canadian exporter will have to obtain the appropriate documentation from the importer. The certification number must be included on a label, which includes the *NOM* logo, affixed to each item.

Textile and leather products are a special case. Under the March 7, 1994 Executive Decree, they are exempted from the certification requirements even though they are covered by *NOMs*. They must, however, comply with special labelling rules specified in the decree, which include a requirement that a *NOM* logo appear on the label.

Regardless of the product involved, the following classes of goods are exempted from the requirement for certificates of compliance:

- goods imported for the purpose of obtaining a *NOM* certification;
- goods included in personal accompanied baggage;
- personal items sent by a Mexican resident;
- goods imported by scientific or educational institutions;
- samples with no commercial value;