

NOM came into force at the border on 1 March 1997, and will apply at the store shelf as of 1 July 1997.

### APPLICATION

The regulation applies to goods intended for the final consumer who represents "the last link in the commercial chain for a product, that is, for its use or consumption." The regulation states that "the consumer is not someone who acquires, stores, uses or consumes products with the purpose of integrating them in the process of production, manufacturing, marketing or providing service to third parties."

The regulation applies only to pre-packaged products and specifically excludes bulk products that are measured or weighed in the presence of the customer at the time of sale. The official implementation guide for the regulation gives the example of nails. If the nails are pre-counted and come in a box or bag, they must be labelled according to the regulation. If they are sold by the pound and weighed at the time of sale, they need not be labelled.

The Mexican government has issued a decree which lists specific products subject to this regulation. This is intended for administrative use at ports of entry and is subject to change. Exporters must verify the current requirements with their agent, distributor or other importer prior to shipment.

### LANGUAGES

Labels must be in Spanish although they can include other languages, as long as the Spanish component appears in the same typeface and is at least as large as the other languages. The Spanish must also be displayed "*de manera igualmente ostensible,*" which means "in an equally prominent manner." This is interpreted to mean that the Spanish must be exhibited in a similar or equivalent place, with colours and design equal to or similar to the other

languages. This requirement applies to each instance of the information if it is repeated on the package. It also applies to any instructions, manuals or guarantees that may be provided with the product. Additional information that is not required by regulation may appear in any other language and not necessarily in Spanish.

### GENERAL REQUIREMENTS

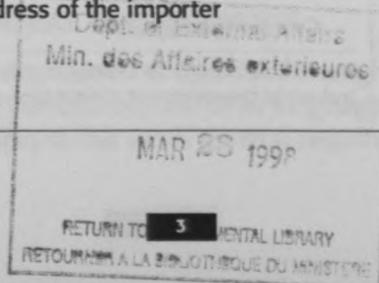
There is a general requirement that the information provided must be truthful, understandable and legible to a person with normal vision. The label must be affixed to the product package in such a way that it will not become detached until after it is used by the consumer.

There is a provision in the regulation for labels to be affixed after they enter Mexico but prior to retail sale. In this case, however, the goods must

be taken to a *Unidad de Verificación*, verification unit, for inspection after the labels have been affixed. There are a number of problems with this procedure. First, the government designated the first verification units only on 24 February 1997, four days before the regulation went into effect. Second, only five verification units were specified, all of which are testing laboratories empowered to certify goods under product-specific NOMs. They are all located in Mexico City or the State of Mexico. Third, the regulation specifies that to qualify for this procedure the importer must have imported goods worth US \$100,000 during the previous 12 months, and must have been listed in the importer's registry for at least two years. Several other restrictions are onerous for all but the largest importers. It will, therefore,

### Requirements for Generic Product Labels for Imported Products under NOM-050-SCFI-1994

Name of product, or a generic description (principal display panel)	Not required if the product is readily identifiable and can be seen through the packaging.
Quantity statement, unless the product is identifiable by sight (principal display panel)	Quantities must be described by the metric system and must be calculated according to procedures set out in <i>NOM-030-SCFI-1993</i> . Where relevant, net drained content is also required.
Country of origin of the product	Canadian product labels must bear the designation " <i>Hecho en Canadá</i> " or " <i>Producto de Canadá,</i> " or other designations recognized in NAFTA.
Risk warnings	Only if the product is considered dangerous by some official regulation. Symbols defined in other regulations may be used.
Instructions for use, handling and storage	Only if required by regulation. If instructions are in a separate manual, the label must make reference to the manual, using words set out in the regulation.
Expiration date or "best before" date, if applicable	Optional if the product suffers deterioration in its properties over time.
Name, or trade name and address of the importer	This information may be affixed to the product after it has entered Mexico. The manufacturer's name must be provided separately to <i>Secofi</i> by the importer and need not appear on the label of imported products.



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