

4. PRODUCT LABELLING

If the product is being exported to Mexico for the first time, another early priority is to have labels designed for the Mexican market. This means translating existing labels and ensuring that they meet Mexican regulations.

Product labelling in Mexico is governed, in part, by the *Ley de Protección al Consumidor*, Consumer Protection Act. Article 34 of that law requires that all information contained on a product or its labels, containers and packages must be in Spanish. The same requirement applies to product advertisements. Nonetheless, the labelling decree of June 19, 1987 allowed "pre-packaged" goods to enter Mexico with foreign labels, as long as minimum Spanish labelling was added by affixing stickers. Pre-packaged goods have been defined as those that are packaged without the consumer present.

In addition to these generic requirements, many products have long been subject to specific quality standards, known as *Normas Oficiales Mexicanas* or *NOMs*. Compliance with the *NOM* certification and labelling requirements has, until recently, been the responsibility of the importer. Clothing and textiles, leather products, electrical appliances, medical equipment and supplies, foods and beverages, and pesticides are among the products subject to these specific labelling requirements.

In the past, Canadian exporters of most consumer products were able to satisfy the Mexican requirements by arranging to have Spanish stickers applied to the original English/French labels by the Mexican importer or agent after importation and prior to resale.

In March 1994, the Government of Mexico published an Executive Decree which states that effective immediately, both the generic labelling requirements and those set out in the *NOMs* will be enforced at the border. This means that compliance has effectively become the responsibility of the Canadian exporter.

The Executive Decree on labelling, more formally, a "Decision" by the Minister of Trade and Industrial Development, is dated February 25, 1994. It came into force one day after it was published in the *Diario Oficial de la Federación*, National Gazette on March 7, 1994.

The Mexican government has recently published draft regulations that advise that new labelling requirements will require full original Spanish labelling to be affixed at the point of origin. These new regulations are expected to become effective in 1995, and exporters should prepare for them as soon as possible.