

DOF: 12/03/2021

AGREEMENT that modifies the similar one by which the National Distinction of Organic Products is made known and the general rules for its use in the labeling of certified organic products are established, published on October 25, 2013.

In the margin a stamp with the National Shield, which reads: United Mexican States.- AGRICULTURE.- Secretariat of Agriculture and Rural Development.

VÍCTOR MANUEL VILLALOBOS ARÁMBULA, Secretary of Agriculture and Rural Development, based on articles 35, section IV of the Organic Law of the Federal Public Administration; 4 of the Federal Law of Administrative Procedure; 1, section VI, 30 and 31 of the Organic Products Law; 42, 43 and 44 of the Regulation of the Organic Products Law; 1, 2 letter " B " , section V, 5, section XXV, 19, sections I, XIX and XXVI, 52 and 53 of the Internal Regulations of the Ministry of Agriculture and Rural Development; 3, 11, sections VII, XVIII and XXV, 14, section XXI and 18, sections XIX, XX and XXI of the Internal Regulations of the National Service of Agrifood Health, Safety and Quality, and 202 of the Agreement that makes known the Guidelines for the Organic Operation of agricultural activities, published in the Official Gazette of the Federation on October 29, 2013, and

CONSIDERING

That on October 25, 2013, the AGREEMENT was published in the Official Gazette of the Federation by which the national distinctive of organic products is made known and the general rules for its use in the labeling of certified products are established as organic, by which the rules of use of the National Distinction of Organic Products are established and made known with the specifications, color patterns and other characteristics that are specified in that ordinance, which is applicable to products that comply with the Law of Organic Products and the provisions that derive from it.

That in order to comply with articles 6, section X, Sections B and C, 9, 10, 22, 30, 31, 32 and 33 of the Organic Products Law and 42, 43 and 44 of its Regulations, the Ministry of Agriculture and Rural Development (the Secretariat) coordinated in 2020, the Regulatory Framework Group of the National Council of Organic Production , to carry out the review and update of the current regulation, so with the opinion of said Council and at the request of the productive sector It was considered relevant to make modifications so that all products that comply with the Organic Products Law and the provisions that derive from it, use the National Distinction, in order to comply with the provisions of article 31 of the aforementioned Law.

That during the sessions of the Regulatory Framework Group of the National Council for Organic Production, it was considered relevant to make modifications to the Agreement by which the national distinctive of organic products is made known and the general rules for its use in the labeling of organic products are established. products certified as organic, published on October 25, 2013, in order to update the image and use of the National Distinction, which in terms of article 31 of the Organic Products Law gives identity to organic products in the national market and international, which comply with the applicable legal provisions .

That in order to comply with the provisions of articles 68, last paragraph, and 78 of the General Law of Regulatory Improvement, the Secretariat in order to reduce compliance costs carried out actions of flexibility and deregulation, through the issuance of the Agreement by which the states of Baja California and Chihuahua are declared as free zones of the boll weevil (*Anthonomus grandis*); the Municipality of Sierra Mojada, of the federative entity of Coahuila de Zaragoza, and the municipalities of Altar, Caborca, General Plutarco Elías Calles, Pitiquito and San Luis Río Colorado, of the federative entity of Sonora, published in the Official Gazette of the Federation on July 19, 2021, generating savings of up to \$ 143,832,772.29 pesos.

In addition to the above, the Secretariat issued the Agreement declaring as free zones of the pink cotton worm (*Pectinophora gossypiella*), to the states of Baja California, Chihuahua, Coahuila de Zaragoza, Durango and Sonora, published in the newspaper Official of the Federation on July 19, 2021, generating savings by: reduction in maintenance and cultural work, as well as the mandatory use of the Authorized Phytosanitary Professional that amounted to \$ 130,222,478.03 pesos.

Consequently, the total savings from both agreements add up to a total of \$ 274,055,250.32 pesos, which will be used for the issuance of this Agreement.

That, to update the image and use of the National Distinction that gives identity to organic products certified under Mexican legal provisions in the national and international market, I have seen fit to issue the following:

AGREEMENT TO MODIFY THE SIMILAR BY WHICH THE NATIONAL DISTINCTIVE OF ORGANIC PRODUCTS IS MADE KNOWN AND THE GENERAL RULES

ARE ESTABLISHED FOR THEIR USE IN THE LABELING OF CERTIFIED ORGANIC PRODUCTS, PUBLISHED IN THE OFFICIAL GAZETTE OF THE FEDERATION OCTOBER 25, 2013

SINGLE.- ARTICLES FIRST, SECOND, THIRD, section II and image of section III, FOURTH are **modified** , regarding the construction of the National Distinction of Organic Products, FIFTH, regarding the colors that make up the National Distinction of Organic Products, SIXTH, regarding the colors of the National Distinction of Organic Products, SEVENTH, NINTH, TENTH, ELEVENTH, section VII, TWELFTH, subsection a. from fraction I, fraction II; Two paragraphs are **added** to the TWELFTH article and the SEVENTEENTH article is **repealed**, all of the Agreement by which it is disclosed the national distinctive of organic products and the general rules for their use in the labeling of certified organic products are established, published in the Official Gazette of the Federation on October 25 , 2013, to read as follows:

ARTICLE ONE.- The purpose of this Agreement is to publicize and establish the rules of use of the National Distinction of Organic Products with the specifications, color patterns and other characteristics that are specified in this instrument, which will be applicable to the products that comply with the Organic Products Law, its Regulations and other provisions derived from them.

SECOND ARTICLE.- The provisions contained in this Agreement are applicable to natural or legal persons who are organic operators, have the certificate of their products or by-products as organic and obtain the authorization of the National Distinction, which they may use on the labels or other documents, where they make the declaration of properties, including physical or electronic advertising material , commercial documents and points of sale.

ARTICLE THREE.- [...]

I. [...]

II. The typography with the words ORGÁNICO - MÉXICO wrapping the drawing in a circular way.

III. [...]

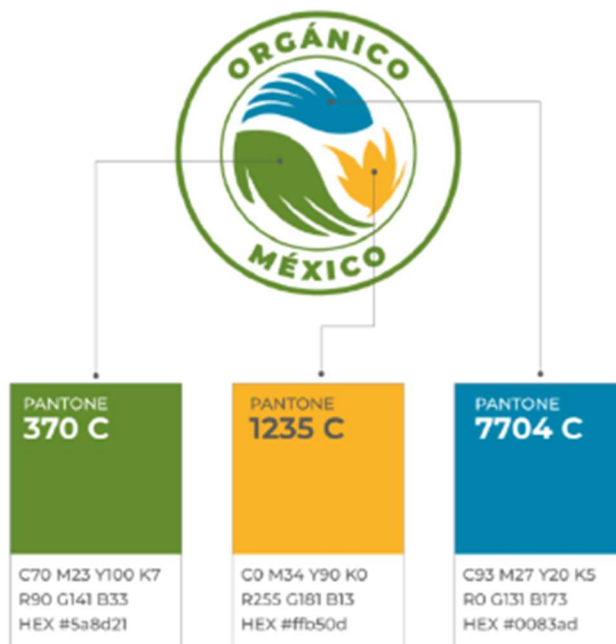


ARTICLE FOUR.- [...]



[...]

ARTICLE FIVE.- [...]



ARTICLE SIX.- [...]



ARTICLE SEVEN.- The National Badge may be used in the declaration of properties, including advertising material and commercial documents and points of sale.

ARTICLE EIGHT.- [...]

ARTICLE NINE.- The typography used in this matter will be that of the Montserrat Black family to be used in titles and paragraphs of texts in the various communication pieces of the badge, as shown below:

ABCDEFGHIJKLMNOPQRSTUVWXYZ

ABCDEFGHIJKLMNOPQRSTUVWXYZ

1 2 3 4 5 6 7 8 9 0

ARTICLE TEN.- The specifications regarding the design and characteristics of the National Distinction will be contained in the Manual of Graphic Identity, which will be available on the website of the National Service for Agrifood Health, Safety and Quality www.senasica.gob.mx.

CHAPTER II

[...]

ARTICLE ELEVENTH.- [...]

I. [...]

II. [...]

III. [...]

IV. [...]

V. [...]

SAW. [...]

VII. The operators that use the National Distinctive reference in their packaging or product (s) will be responsible for producing their labels, complying at all times with the specifications of this Agreement.

CHAPTER III

THE PROCEDURE TO OBTAIN THE AUTHORIZATION OF USE OF THE NATIONAL DISTINCTIVE

TWELVE ARTICLE.- [...]

I. [...]

a . Request using the attached format before the approved organic certification body that certified the organic product, clearly indicating: the type of product to be labeled, the volume and the production batch to which said product corresponds;

b. [...]

II. The approved organic certification body , which has certified it, will evaluate the operator's application ; If it meets the criteria cited in this chapter, the authorization for the use of the National Badge will be issued by means of a notification and / or writing addressed to the requesting operator within a period of 15 business days from receipt, and the file will be delivered electronic, containing the National Badge for authorized use .

[...]

The agencies will report annually to the Secretariat on the authorizations granted for the use of the National Badge, on the first business day of February in accordance with the provisions of the Organic Products Law , its Regulations and applicable provisions.

The Secretariat will resolve disputes arising from the interpretation and application of this Agreement regarding the granting of authorizations.

CHAPTER IV

[...]

ARTICLE THIRTEENTH.- [...]

CHAPTER V

SURVEILLANCE OF THE USE OF THE NATIONAL DISTINCTIVE

ARTICLE FOURTEENTH TO ARTICLE SIXTEEN .- [...]

ARTICLE SEVENTEEN.- Repealed .

CHAPTER VI

OF THE SANCTIONS

ARTICLE EIGHTEENTH.- [...]

TRANSIENT

FIRST.- This AGREEMENT shall enter into force the day following its publication in the Official Gazette of the Federation.

SECOND.- Operators that have an inventory of labels in compliance with the specific provisions for the use of the National Distinction prior to the publication of this Agreement, may run out of stock within a period of thirty-six months after the publication of this Agreement, Once this period has expired, they must adjust to the provisions of this Agreement.

Mexico City, November 23, 2021.- The Secretary of Agriculture and Rural Development, **Víctor Manuel Villalobos Arámbula.-** Signature.

ANNEX.- FORMAT TO OBTAIN THE AUTHORIZATION OF THE USE OF THE NATIONAL DISTINCTIVE OF ORGANIC PRODUCTS

FOLIO (Requisitado por el Organismo de Certificación(OCO)):		FECHA:	
Nombre del operador orgánico:	ID del Operador Orgánico (número de identificación del operador orgánico asignado por su OCO):	Número y alcance del Certificado Orgánico (asignado por su OCO):	
Producto(s):			
Tipo de producto a etiquetar:		Volumen del producto a etiquetar:	
Lote de producción del producto orgánico:			
Datos y documentos anexos que debe proporcionar			
- Copia de la certificación orgánica vigente para el (los) producto(s) que portará(n) el Distintivo Nacional:			
NOMBRE SOLICITANTE O DE SU REPRESENTANTE LEGAL:		FIRMA DEL SOLICITANTE O DE SU REPRESENTANTE LEGAL:	

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