

Voluntary - Public

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Mexico Cancels Outdated Biotech Regulation

Report Categories:

Biotechnology

Policy and Program Announcements

Trade Policy Monitoring

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Report Highlights:

The Secretariat of Agriculture, Livestock, Rural Development, Fishery and Food (SAGARPA) published in the *Diario Oficial* (Federal Register) on June 22, 2009, a notice cancelling the Mexican Official NOM-056-FITO-1995, which had established the phytosanitary requirements for the importation, domestic shipment and establishment of field trials with organisms that have been manipulated by genetic engineering. The cancellation of NOM-0056 took effect on June 23, 2009.

General Information:

Introduction: This report summarizes a notice from the Secretariat of Agriculture, Livestock, Rural Development, Fishery and Food (SAGARPA) and published in Mexico's *Diario Oficial* (Federal Register) on June 22, 2009

Disclaimer: This summary is based on a cursory review of the subject announcement and therefore should not, under any circumstances, be viewed as a definitive reading of the regulation in question, or of its implications for U.S. agricultural export trade interests. In the event of a discrepancy or discrepancies between this summary and the complete regulation or announcement as published in Spanish, the latter shall prevail.

Title: Notice of Cancellation of the Mexican Official NOM-056-FITO-1995, Phytosanitary Requirements for the Importation, Domestic Shipment and Establishment of Field Trials with Organisms that Have Been Manipulated by Genetic Engineering, published on July 11, 1996.

Type of Regulation: Cancellation

Important Dates

1. Publication Date: June 22, 2009

2. Effective Date: June 23, 2009

Products Affected: Genetically Modified Organisms

FAS/Mexico's Executive Summary: On June 22, 2009, the Secretariat of Agriculture, Livestock, Rural Development, Fishery and Food (SAGARPA) published in Mexico's "*Diario Oficial*" the cancellation of the Mexican Official NOM-056-FITO-1995, Phytosanitary Requirements for the Importation, Domestic Shipment and Establishment of Field Trials with Organisms that Have Been Manipulated by Genetic Engineering.

The notice states that the NOM is no longer necessary due to more recent March 18, 2005 publication of the Biosafety Law of Genetically Modified Organisms. However, the implementing regulations of the Biosafety Law foresee the additional elaboration of new Mexican official standards to be developed in accordance with the legislation. The elimination of the NOM-056-FITO-1995 is not surprising, as its elimination was first considered in the 2008 National Standardization Program, which was published in the *Diario Oficial* on April 14, 2008.

Background: On July 11, 1996 SAGARPA published in Mexico's Federal Register the official standard that established the phytosanitary requirements for the importation of transgenic products and their release into the environment. Among the important features of this regulation was the need to obtain a phytosanitary certificate for the release into the environment of transgenic products. The NOM also stated the interstate movement of these materials required notification to the Mexican General Office of Plant Health. In addition, the regulation included the requirements and forms to be filled out during these processes (See MX 6103). However, with the subsequent publication in 2005 of the Law on Biosafety of Genetically Modified Organisms and its Operational Rules in 2008, it was only a matter of time before the cancellation of this NOM-056-FITO-1995.