

USDA Foreign Agricultural Service

GAIN Report

Global Agricultural Information Network

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Mexico

Post: Mexico

Mexico Publishes Draft Regulations for Selected Dairy Products

Report Categories:

Dairy and Products
Trade Policy Monitoring

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Report Highlights:

In February 2018, Mexico published draft regulations for milk powder, cheese, and yogurt in the *Diario Oficial* (Mexico's Federal Register) for comment. The three draft regulations were published jointly by the Ministry of Economy (Economía) and the Ministry of Agriculture, Livestock, Rural Development, Fish, and Food (SAGARPA). Interested parties are encouraged to submit their comments.

Disclaimer: *This summary is based on a cursory review of the subject announcements and therefore should not, under any circumstances, be viewed as a definitive reading of the draft 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.*

General information

In February 2018, Mexico published three draft regulations for milk powder, cheese, and yogurt in the *Diario Oficial* (Mexico's Federal Register). The draft regulations were published jointly by the Ministry of Economy (Economía) and the Ministry of Agriculture, Livestock, Rural Development, Fish, and Food (SAGARPA). They were similarly notified to the World Trade Organization (WTO) for comment.

Previously, in November 2017, the Federal Commission for Regulatory Improvement (COFEMER) posted in its website the three draft regulations related to dairy products (milk powder, yogurt and cheese) establishing physicochemical and microbiological specifications, commercial information, and testing methods. Please refer to report [MX7067](#) for further details.

As previously reported, currently there are relatively few regulations for these specific products, and the proposals aim to address issues of quality and provide standardization in the dairy sector. The principal regulations for the dairy sector are NOM-155-SCFI-2012 and NOM-243-SSA1-2010. Other Mexican regulations which impact the dairy sector can be found in the second section of each draft proposal.

Included in the bibliography for the draft milk powder regulation are references to the “USDA Specifications for Instant Dry Whole Milk,” and the “United States Standards for Grades of Nonfat Dry Milk.” Similarly, the draft yogurt regulations includes the FDA “21 Code of Federal Regulations 131.200-Yogurt.”

Draft Regulation for Milk Powder

Title: PROY-NOM-222-SCFI/SAGARPA-2017, Powder or Dehydrated Milk – Raw Material – Specification, Commercial Information, and Testing Methods.

Summary: This draft regulation establishes the characteristics of milk powder or dehydrated milk marketed as a raw material within Mexico (domestic or imported). It also addresses the physicochemical specifications, commercial information, and testing methods with which product must comply.

Date Published in the *Diario Oficial*: February 1, 2018

Comments Due: 60 days following publication (April 2, 2018)

Link: http://www.dof.gob.mx/nota_detalle.php?codigo=5511979&fecha=01/02/2018

WTO Notification: TBT/N/MEX/391

WTO Comment Deadline: April 2, 2018

Draft Regulation for Yogurt

Title: PROY-NOM-181-SCFI/SAGARPA-2017, Yogurt – Denomination, Physical-Chemical and Microbiological Specifications, Commercial Information, and Testing Methods.

Summary: This draft regulation establishes the name, physicochemical and microbiological specifications, commercial information, and testing methods with which all commercial types (domestic or imported) of yogurt marketed in Mexico must comply.

Date Published in the *Diario Oficial*: February 1, 2018

Comments Due: 60 days following publication (April 2, 2018)

Link: http://www.dof.gob.mx/nota_detalle.php?codigo=5511978&fecha=01/02/2018

WTO Notification: TBT/N/MEX/390

WTO Comment Deadline: Unclear, listed as March 2, 2018.

Draft Regulation for Cheese

Title: PROY-NOM-223-SCFI/SAGARPA-2017, Cheese – Denomination, Specifications, Commercial Information, and Testing Methods.

Summary: This draft regulation establishes the names and physicochemical specifications that must be met to display the name, the testing methods to demonstrate compliance, and the commercial information that must be detailed on the label in order for the cheese to be commercialized in Mexico.

Date Published in the *Diario Oficial*: February 19, 2018

Comments Due: 60 days following publication (April 20, 2018)

Link: http://dof.gob.mx/nota_detalle.php?codigo=5513601&fecha=19/02/2018

WTO Notification: TBT/N/MEX/395

WTO Comment Deadline: April 20, 2018

According to the announcements, comments may be delivered physically to the *Comité Consultivo Nacional de Normalización Agroalimentaria* or the *Comité Consultivo Nacional de Normalización de la Secretaría de Economía*. Comments may also be sent via e-mail to daniel.gonzalezs@economia.gob.mx, rebeca.rodriguez@economia.gob.mx, and juan.linares@sagarpa.gob.mx

FAS comments

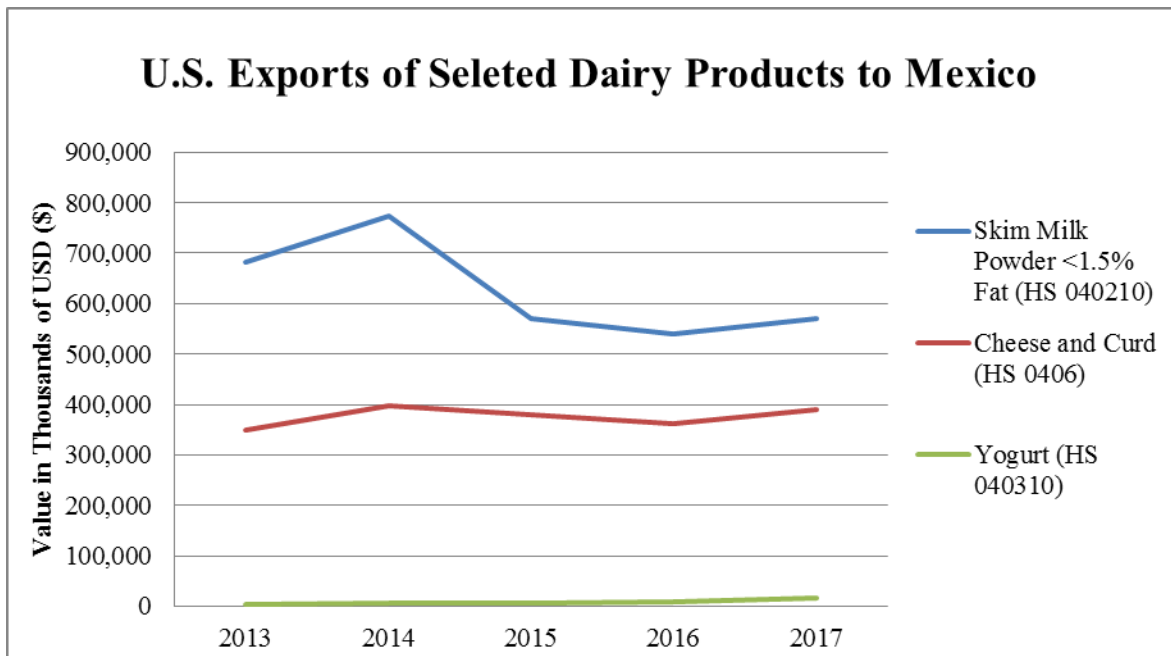
Once the comment period ends, the regulations finalized and published in the Federal Register, these regulations will cover all commercialized milk powder, cheese, and yogurt in Mexico. This includes imported products. As such, FAS Mexico encourages all interested parties to submit comments during the Federal Register comment periods as listed above.

There does not appear to be a significant difference in content of the draft regulations for milk powder, cheese, and yogurt, between the COFEMER publication in November 2017 and the *Diario Oficial* publication in February 2018. However, the implementation dates are now listed as 365 days following final publication (after the comment period and revisions) for both milk powder and cheese, while the yogurt implementation date is maintained at 180 days following final publication (after the comment period and revisions).

While these draft regulations are intended to address issues of quality and provide standardization, principally in the domestic market, there could potentially be impacts on U.S. dairy products exported to

Mexico. As such, interested parties are encouraged to review the draft regulations closely, and provide comments as appropriate.

In 2017, the United States exported \$1.3 billion in dairy products to Mexico, the number one export market.



Source: U.S. Census Bureau Trade Data

As previously reported, another consideration will be the capacity of small-scale producers, particularly in southern Mexico, to comply with these regulations. Further, although geographical indicators are not included in the draft regulation for cheese, discussion is expected to continue around the topic, particularly as the European Union and Mexico negotiate the modernization of their Free Trade Agreement (known in Mexico as TLCUEM).

Other Relevant Reports:

Report Number	Title
MX7047	Dairy and Products Annual
MX7067	Mexico Analyzes Draft Regulations for Selected Dairy Products

FAS/Mexico Web site: We are available at <https://www.fas.usda.gov/regions/mexico> or readers may visit the FAS headquarters' homepage at www.fas.usda.gov for a complete selection of FAS worldwide agricultural reporting.

Useful Mexican Web Sites: Mexico's equivalent to the U.S. Department of Agriculture (SAGARPA) can be found at www.sagarpa.gob.mx, equivalent to the U.S. Department of Commerce (SE) can be found at www.economia.gob.mx and equivalent to the U.S. Food and Drug Administration (SALUD) can be found at www.salud.gob.mx. These websites are mentioned for the readers' convenience but USDA does NOT in any way endorse, guarantee the accuracy of, or necessarily concur with, the information contained on the mentioned sites.