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Voluntary - Public

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Mexico

Post: Mexico ATO

Organic Seed Imports Require Registered Treatment

Report Categories:

Planting Seeds

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Report Highlights:

Under current Mexican phytosanitary regulations, all imported seeds must be fumigated prior to entering the country by a registered form of treatment. In the case of organic seeds - since specific organic regulation framework is still under development - this requirement still applies affecting the "organic" status of organic seeds. Seeds treated with fumigation not listed in the registered list issued by the Mexican Secretariat of Health will no longer be authorized into the country. One of the authorized fumigation treatments in Mexico for organic seeds is T-22.

General Information:

Since the early 1970's when the Federal Law on Plant Health and its regulations were officially published, the law has been revised only twice. The last revision occurred in July 2007 but the regulations have never been updated. Currently the regulations for the latest version of the Plant

Health Law are being drafted. Although special provisions are being contemplated for some products such as organic, it is still pending publication. It is expected that the final draft be put out or public comments sometime before the end of 2009.

The Mexican organic industry has existed since the early 1980's but the official regulatory framework is relatively new. The Mexican Organic Production Law was published in February 2006 and although the Regulations for this law have been completed they have not been officially published yet.

Currently, according to Mexican government officials, seed import requirements are not subject to a NOM but to requirements specified in Phytosanitary Requirement sheets [Hojas de Requisitos Fitosanitarios](#). This fact makes it easier for the government to adapt the requirements to facilitate imports but that in the case of pesticides it will have to be approved by Mexico. Eventually, the regulations will be completed and specific NOMS will be developed establishing even ground rules for everybody without the possibility of regulations interpretation.

The Mexican Organics Law published in 2006 discuss in articles 34, 35 and 36 the possibility of allowing organic seeds to enter the country using alternative options that preserve their organic status as long as they carry an organic certification. However, until the regulations are official and the standards are developed, the Law cannot be enforced.

One of the authorized treatments in Mexico for organic seeds is T-22.

Untreated seeds are allowed into the country if and when they are checked and quarantined for some time to make sure that they do not have hazardous viruses, pests, etc. Mexican companies have imported untreated seeds legally following these steps and although this is a lengthy process (up to 12 months) it is an existing possibility.

Seeds treated with products not listed in the approved pesticides list issued by the Mexican Secretariat of Health will no longer be authorized into the country. However, companies interested in registering their treatment options in Mexico are able to do so.

Only a Mexican entity duly accredited with the Secretariat of Health for the purpose of importing and trading pest control treatments may submit a registration application to the Federal Commission for the Protection against Sanitary Risks COFEPRIS (equivalent to EPA).

In the case of a pesticides or fumigation treatments the following steps must be taken:

- At the COFEPRIS web page go to PLAFEST (area in charge of the Registration of Pesticides, Fertilizers and Toxic Substances) and fill up the registration form according to the type of pesticide that applies: [Registration Format](#)
- For information on how to fill up the form go to: [Manual](#)
- Once all the requirements are met payment must be made. The cost of the registration varies depending on the level of toxicity of the product and costs may vary from \$2,000 USD to \$5,000 USD. A special payment format called "Formato de Pago de Derechos SAT 5" must

be purchased at a fiscal store. This format cannot be downloaded from internet. Three originals containing the same information must be filled up and payment may be made at any Mexican bank.

- Submit complete documentation and proof of payment to the CIS office (Centro Integral de Servicios) at COFEPRIS located at Monterrey 33, Col Roma, 06700 México, D.F.
- The maximum reply time of approval is 120 working days. Before day 40, COFEPRIS may request clarification or additional information. In this case a reply must be submitted within the deadlines given by COFEPRIS to continue with the process.

If registration results are positive, the new product will appear in the official list of approved pesticides in Mexico at [Approved Pesticides](#).