

USDA Foreign Agricultural Service

# GAIN Report

Global Agricultural Information Network

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Voluntary - Public

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## Mexico

**Post:** Mexico ATO

### Proposal for New Food Labeling Requirements

**Report Categories:**

Food and Agricultural Import Regulations and Standards - Narrative

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**Report Highlights:**

On September 12, 2013, the Federal Commission of Sanitary Risk Prevention (COFEPRIS), an agency of the Department of Health, proposed new regulations for packaged consumer foods that will provide more reliable and more detailed nutritional information in an attempt to make it easier for consumers to understand. The law would apply to domestic and imported foods.

### **General Information:**

In September 2013, the Federal Commission of Sanitary Risk Prevention (COFEPRIS), an agency of Mexico's Health Secretariat (SALUD), published a proposal of a Decree, which adds several provisions to the Regulation of Disease Control of Products and Services. (Spanish: Decreto Por El Que Se Adicionan Diversas Disposiciones al Reglamento de Control Sanitario de Productos y Servicios) According to the proposal, all packaged products will have to have a label on the front of the package stating the total energy content of the product in kilocalories. This value cannot be expressed in percent daily values (based on a 2000 calorie diet). It has to be numerical and include the saturated fat content, other fats, total sugars, and sodium in the product.

COFEPRIS argues that the evidence suggests that this initiative will increase fruit and vegetable consumption by 10 grams per day on average and will decrease the total fat energy consumption.

The proposed front -of-pack labeling regulation is a small, but impactful part of a larger Mexican strategy to combat obesity. COFEPRIS said the main goal of the proposed regulations is to help consumers make more informed nutritional choices about the foods they purchase. The agency plans to work collaboratively with the local food industry to design and implement innovative approaches to front-of-package labeling.

In a Mexican newspaper, the head of COFEPRIS, Mr. Mikel Arriola, was quoted as saying that if the labeling reform passes, Mexico will become a pioneer in the labeling field by incorporating best practices in the design of transparent regulatory mechanisms for the end consumer.

The proposed decree is not part of the NOM -051- Mexican Official Standard for General Labeling Specifications of Pre-Packaged Foods and Non-Alcoholic Beverages, which was last revised in 2011. However, the labeling provisions in the Regulation of Disease Control of Products and Services, if passed, will be mandatory and will apply to domestic and imported products.

COFEPRIS is proposing to include front of pack labeling on certain products:

**Flavored drinks**, such as products created to be dissolved in water made from sugars and or sweeteners and optional ingredients, with or without additives, carbonated or un-carbonated.

**Snack foods, such as pasta or flour products**, cereals, legumes, tubers, or starches, as well as grains, fruits, seeds, or legumes with or without peels or skins, tubers; and pork skin.

**Chocolate**, such as the homogeneous products like: cocoa paste, cocoa butter, cocoa, with additives such as sugar or other sweeteners, as well as other optional ingredients such as dairy products and food additives; **and chocolate products where artificial sweeteners/sugars are added.**

**Family packaging**, such as those that contain a product in greater quantities than those determined in accordance with the relevant criteria as put forth by SALUD. Multiple or collective packaging, including any package which contains two or more units of prepackaged products, either the same or different, intended

for sale to consumers.

**Confectionary products**, such as foodstuffs of varying flavors and textures that, within their principle components, contains sugars and/or sweeteners, which may or may not contain cereals and grains, gum, fruit, or other optional additives and ingredient.

**In addition, the labeling of pre-packaged foods and non-alcoholic beverages**, with the exception of water for human consumption, human breast milk substitutes, food or non-alcoholic beverages for babies or children, sugar-free chewing gum, sugar-free breath mints, bulk sales items, whose products and raw materials contained in packages created exclusively for the use and consumption of institutions, and raw materials for industrial use.

The labels of pre-packaged foods and non-alcoholic beverages, shall show on the front label area the total energy content of the product expressed in kilocalories or calories. This value shall not be expressed in percentages of recommended daily amounts. **This is a change from previous labeling requirements.**

Source of Caloric Energy	Base Value for calculation
Saturated fats	200 calories
Other fats	400 calories
Total sugars	360 calories

- Sodium amounts, including portion sizes for certain items, such as chocolates will be included.
- Portion sizes labels for **are required** for products such as family-style packaging, snack foods, flavored drinks, chocolates, products similar to chocolate, and confectionary.
- Drinks considered to be low-calorie flavored beverages **shall be excluded**.
- Multiple or collective packaging that contains **pre-packaged products labeled individually, are not obligated** to present such information in the labels.
- Food and non-alcoholic beverage labels **can include the nutritional label** when, at the request of the interested party, COFEPRIS will determine that *said* product complies with the nutritional criteria required.

Local industry sources said that these new labeling requirements should be enforced by early 2014. However, the proposal states that food manufacturers shall have up to **one year** to comply with the new publication or face penalty. One year goes into effect once this program is published publicly.

**Type of Ruling:** Additional Provisions to the Disease Control Regulation of Products and Services

**Important Dates:**

1. Notice Publication Date: September 12, 2013
2. Labeling requirements will be enforced by 2014
3. One year from its publication to comply. However, the document it is still open for comments and **hasn't be officially published in the Federal Register.**

**Products that will be affected:** Flavored drinks, chocolates, snack foods, confectionary products, and family packaged products.

**Agency in Charge:** The Federal Commission of Sanitary Risk Prevention (COFEPRIS)

The proposed decree is currently under revision, and has not been officially published and enforced. For further information and to learn more about the services provided by the Agricultural Trade Offices (ATO) in Mexico, please contact us at:

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