



WEBINAR FOR EXPORTERS OF ORGANIC PRODUCTS AND CERTIFICATION BODIES IN THE USA

SADER/SENASICA – USDA/NOP

April 12th, 2021

CONSIDERATIONS

1. Request participation through chat



2. Activate microphone only when the floor is granted



3. Doubts and comments: info.organicos@senasica.gob.mx



AGENDA

TIME	ACTIVITY	PRESENTER
10:45 – 11:00	Access to the Webinar	SENASICA
11:00 - 11:05	Welcome message	Amada Vélez Méndez <i>General Director of Food Safety, Aquaculture and Fisheries</i>
11:05 - 11:10	Message from the U.S. Embassy in Mexico	Daniel Alvarado <i>Agricultural Attaché, U.S. Mission to Mexico – Embassy Mexico City</i>
11:10 - 11:15	Webinar objectives	José Luis Lara de la Cruz <i>Director of Food Safety, Organic Production and Pesticides for Agricultural Use</i>
11:15 – 12:15	<ol style="list-style-type: none"> 1. Requirements for the import of organic products: <ul style="list-style-type: none"> • Applicable Legal Framework • Agreement and requirements • Implementing marketing of organic products in the country. 2. Approval of Certification Bodies for Organic Products: <ul style="list-style-type: none"> • Requirements • Procedures • Obligations 	SENASICA
12:15 -12:30	Conclusions and closure	ALL

Amada Vélez Méndez

Welcome message



Daniel Alvarado

**Message from the U.S. Embassy in
Mexico**

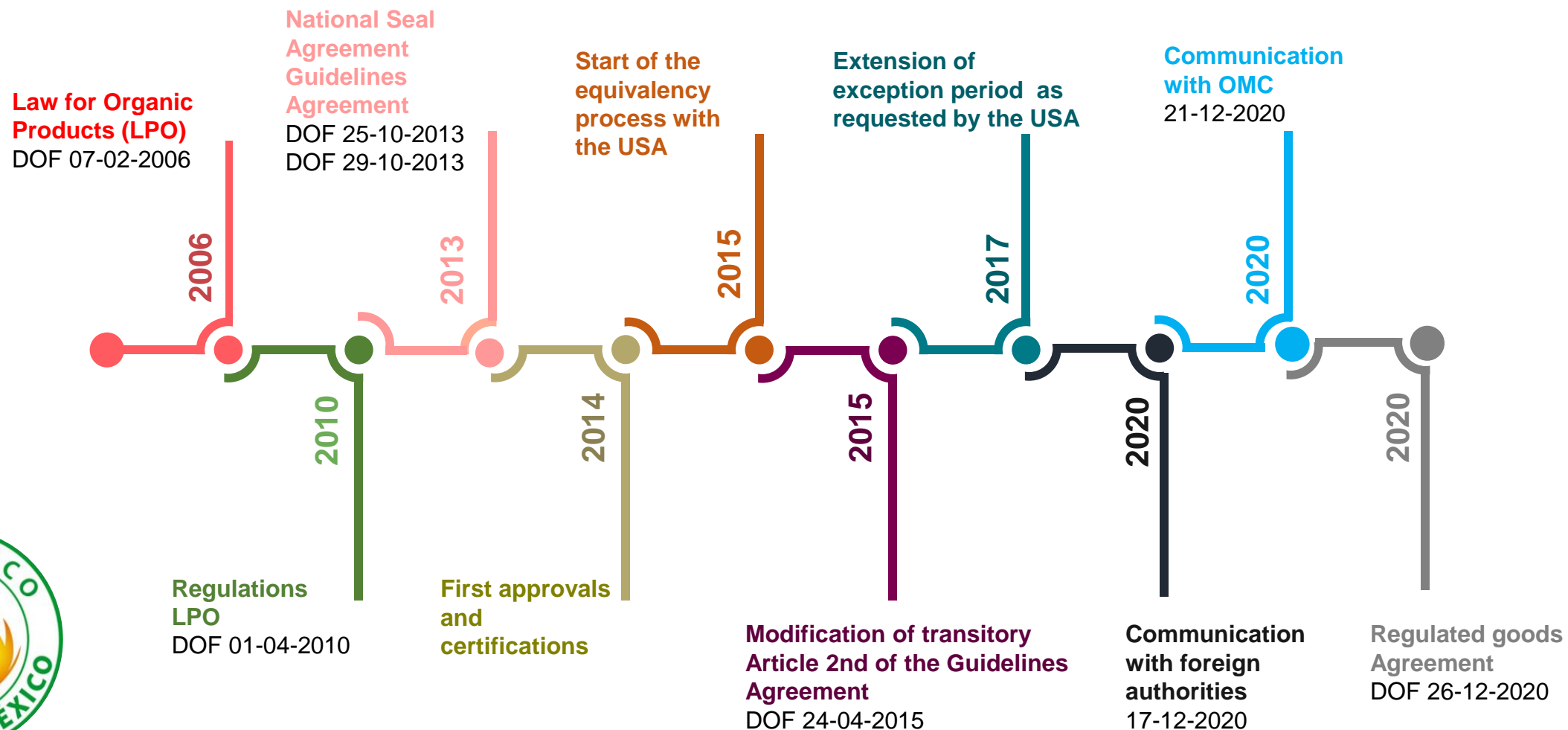


Mtro. José Luis Lara de la Cruz

Objectives of the webinar



TIMELINE - LPO



1.- ORGANIC PRODUCTS IMPORT:

- **Applicable Regulatory framework**
- **Agreement and requirements**
- **Implementation for the organic products marketing in the country**

APPLICABLE REGULATORY FRAMEWORK

LAW FOR ORGANIC PRODUCTS

✓ DOF February 7th, 2006



- **Article 33.-** When a product under organic name or labeled as organic is imported, it must come from countries where there are regulations and control systems equivalent to those existing in the United Mexican States, or failing that, such products must be certified by an agency organic certification approved by the Secretariat.

APPLICABLE REGULATORY FRAMEWORK

REGULATIONS OF THE LAW FOR ORGANIC PRODUCTS

✓ **DOF April 1st, 2010**

- Article 45.- In the case of **organic products** that are being **imported**, **the Secretariat** and **other agencies of the Federal Government** within the scope of their respective powers at **ports, airports and borders** shall jointly and / or severally shall confirm that:
 - I. Verify that the product has been **certified organic or equivalent**;
 - II. Check who has the **control document** that covers lots and unity from which the product;
 - III. **Physical examination of the product and verification** of the product documentation, and
 - IV. Verify compliance with the provisions of the Act, the Official Mexican Standards and Guidelines for the Organic Trade stated in article 18, section II, paragraph b, of this Regulation, the labeling.

IMPORT REQUIREMENTS

BACKGROUND

- AGREEMENT that establishes the classification and codification for products whose import is regulated by the Secretariat of Agriculture, Husbandry, Rural Development, Fisheries and Food, through the National Service of Agrifood Health, Safe-food and Quality.
 - ✓ DOF September 3rd, 2012; valid until December 27th, 2020.
 - ✓ Tariff classification with regularon focused on phitosanitary, zoosanitary and Aquacultural healt
- Publication of the 6th amendment to the Law of General taxes on import and export.
 - ✓ DOF July 1st, 2020; Valid since December 28th, 2020.
 - ✓ Tariff codes update
 - ✓ Harmonization of 50 plus instruments on external trade in accordance to the new custom duties.

IMPORT REQUIREMENTS, 2021

AGREEMENT UPDATE

- *The **AGREEMENT** establishes that products which importation is subject to **regulation** by the Secretariat of Agriculture and Rural Development, and the issuing of an origin certificate for coffee export.*
 - ✓ DOF December 26th, 2020; entry into force December 28th, 2020.
 - * Article 7th will enter into force 180 calendar days after the entry into force of this agreement (June 26th, 2021)
 - ✓ Tariffs classifications established in Annex I.

IMPORT REQUIREMENTS

SEVENTH.-

For products listed in fractions **b) to f)** of Annex I of this Agreement, intending to enter the country under **denominations or labeled as “organic”, “biological”, “ecological” of prefixes “bio” and “eco”** accordingly to articles 33 and 35 of the Law for Organic Products, and 45 of its Regulations, the importer shall present to the DGIF personnel, in the entry points to the country, a copy of the valid organic certificate that cover the organic quality of each imported product, as well as the control document for comparison issued by an organic certification body approved by SENASICA or an organic certification body under the control system of a country which Mexico has an equivalency on organic products. Imported products denominated or labeled as “organic”, “biological”, “ecological” or with prefixes “bio” and “eco” will comply with the phytosanitary, zoosanitary or aquaculture health requirements established in the legislation of the subject matter.

IMPORT REQUIREMENTS

REGULATED PRODUCTS – ANNEX I

- b) Animals, products of animal origin and animal feed (excepting aquatic), subject to complying to consultation module zoosanitary import requirements or sheet of zoosanitary requirements issued by DGSA.
- c) Animals, products of animal origin and animal feed (excepting aquatic), subject to ocular inspection in entry points.
- d) Aquatic species, its products and byproducts, biological, chemical, pharmaceutical products of feed of consumption for those species, subject to complying to consultation module import requirements for aquatic species.
- e) Regulated products by DGSV, by inspection in entry points.
- f) Regulated products by DGSV, subject to complying to consultation module phytosanitary import requirements and general provisions or regulatory in matter of plant health.

IMPORT REQUIREMENTS

REGULATED PRODUCTS – ANNEX I

b)	c)	d)	e)	f)
<ul style="list-style-type: none"> • Cattle • Caprine • Porcine • Ovine • Poultry • Beas • Animal carcasses • Meat cuts • Animal meat • Beacon • Yogurt • Honey • Cheese • Milk 	<ul style="list-style-type: none"> • Tapioca 	<ul style="list-style-type: none"> • Carp • Tuna • Dogfish and shark specimen • Lobster • European lobster • Crabs • Norway lobster • Shrimp • Flour, dust and “pellets” of crustaceans, eatable as human food 	<ul style="list-style-type: none"> • Onions • Plum • Apples • Potatoes • Unshelled pine nuts • Banana • Figs • Pineapple (ananás) • Leguminous • Beans • Soybeans • Sugar Beet • Thyme; laurel leaves 	<ul style="list-style-type: none"> • Fresh or refrigerated tomatoes • Onions and Shallots • Garlic • Leek and other aliacea produce • Cauliflower and broccoli • Carrots and turnip • Cucumber and pickles, fresh or refrigerated • Strawberries • Watermelon • Melon

IMPORT REQUIREMENTS

TRANSITORY

- FORTH.- As presented in article seventh the entry into force will be 180 natural days from the entry into force of this agreement.
 - ✓ June 26th, 2021

- Update of the **Mexican Single Window for Foreign Trade** in order to add another section for organic products.
- Development of the **Inspection protocol for imported products under organic denomination** to be implemented by the SENASICA officials - From June 26th, 2021.

The screenshot shows a web application interface with a navigation bar at the top containing 'VUCEM', 'Inicio', 'Consultas', 'Solicitudes', 'Trámites', 'Usuarios', 'Otras tareas', and 'Configuración'. Below the navigation bar, there are several input fields and dropdown menus:

- A dropdown menu labeled 'Selecciona un valor' with a downward arrow.
- A text input field.
- A dropdown menu labeled 'Fracción arancelaria*' with a downward arrow.
- A text input field labeled 'Descripción de la fracción arancelaria*'. Below it is a large text area labeled 'Descripción*'. There is a small question mark icon next to the label.
- Three text input fields labeled 'Cantidad UMT*', 'UMT*' (with a question mark icon), and 'Cantidad UMC*'. The 'UMT*' field is currently disabled (greyed out).
- A dropdown menu labeled 'UMC*' with a question mark icon and a downward arrow.
- A dropdown menu labeled 'Uso*' with 'Consumo Humano' selected and a downward arrow.
- A dropdown menu labeled 'Tipo de producto*' with 'Orgánico' selected and a downward arrow.
- A text input field labeled 'Número de lote:'.
- A dropdown menu labeled 'País de origen*' with 'Selecciona un valor' selected and a downward arrow.
- A dropdown menu labeled 'País de procedencia*' with 'Selecciona un valor' selected and a downward arrow.

RECERTIFICATION – IMPORTED PRODUCTS

ARTICLE 212.- When dealing with the recertification of a foreign product made by another similar body, with which Mexico has no equivalence agreement, **all the necessary measures must be taken to verify the scope, the validity of the previously issued certificate, and the applicability of the certification which confines it, as well as any other information regarding the competence of the body who made said certification.**

The recertification shall only proceed when the certification requirements are met and previously verified, the correction of the conditions or established noncompliances in the prior certification.

The body must always document the noncompliances or the conditions under which they were certificated and their resolution.

ARTICLE 214.- Every organic operator interested on: ...

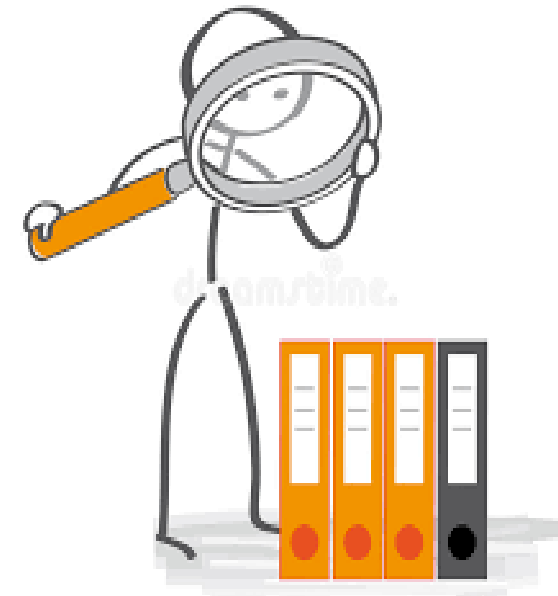
b) Recertification of its organic operation must apply by means of form O-SQ-F-02 or that applied by the approved body.

RECERTIFICATION – IMPORTED PRODUCTS

Considerations:

In the case of operators requesting the recertification of a foreign product and in order to identify inputs or practices that may be against the LPO and its applicable provisions, the certification body shall at least check:

- ✓ Scope (certified area) and organic plan of the operation
- ✓ Validity of the certificate of the operation and of all its suppliers
- ✓ Organic plan of their suppliers (as possible).
- ✓ Control documents / transaction certificates (imported raw materials).
- ✓ National Seal: applicable **only** for products of Mexican origin.



CERTIFICATION BODIES APPROVED BY SENASICA

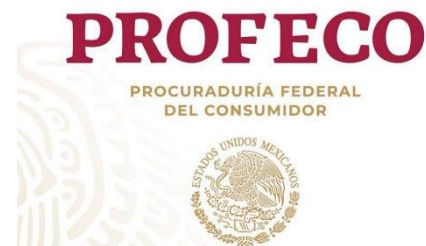


<https://www.gob.mx/senasica/documentos/organismos-de-certificacion-organica?state=published>

ORGANIC PRODUCTS IMPORT








NEXT STEPS

- ✓ To define, jointly with the Secretariat of Economy (SE), strategies to regulate organic products (tariff classifications) that are not subject of the Agreement of goods regulated by SADER/SENASICA.
- ✓ To develop an electronic platform to systematize organic products import (similar to TRACES)
- ✓ Update VUCEM
- ✓ Training to personnel of SE-DGIF
- ✓ Specific Collaboration Covenant:
Surveillance of organic products in the national market.



MARKETING OF ORGANIC PRODUCT




NATIONAL ORGANIC PRODUCTS ON THE MARKET / RAW MATERIALS

Origen / Made	Country	Product	Certification	Seal	Decision
National	Mexico	Fresh / Processed	<u>LPO</u>		OK
	Mexico	Fresh / Processed	<u>LPO</u> / NOP / UE	  	OK
	Mexico	Fresh / Processed	NOP /UE / COR	  	✘

LPO, Article 22: *To brand a product as organic, it must have the corresponding Certification issued by an Accredited and Approved Certification Body.*

MARKETING OF ORGANIC PRODUCT

IMPORTED ORGANIC PRODUCTS ON THE MARKET / RAW MATERIALS

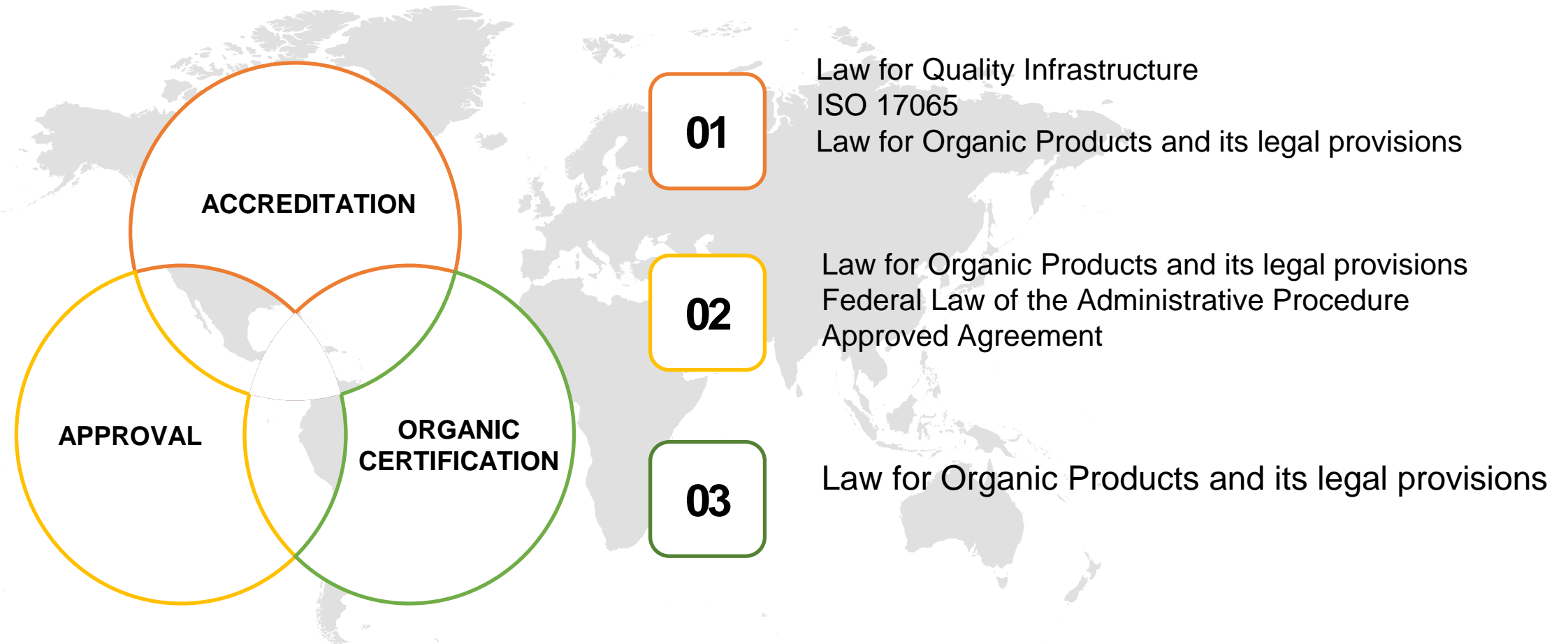
Origen / Made	Country	Product	Certification	Seal	Decision
Imported Without equivalency	EUA / Canada / EU	Fresh / Processed	<u>LPO</u>		OK
Imported Without equivalency	EUA / Canada / EU	Fresh / Processed	NOP / UE / COR	  	✗

LPO, Article 22: *To brand a product as organic, it must have the corresponding Certification issued by an Accredited and Approved Certification Body.*

2.- APPROVAL OF ORGANIC CERTIFICATION BODIES (OCO)

- **Regulatory framework**
- **Requirements**
- **Procedure**
- **Obligations**

REGULATORY FRAMEWORK FOR APPROVAL AND CONTROL OF OCOS



ACCREDITATION ISO/IEC17065

Article 18 of LPO and 18 of Its Regulations:

For those interested on being approved as an OCO, they will request it to SENASICA, **after** being **accredited** under the **guide ISO 65** or its **national or international equivalent**.

4. General Requirements

5. Structure requirements

Personnel of the certification body
Competence management

7. Process Requirements

Request - Certification document - Surveillance -
Complaints and appeals

8. Requirements on internal audit of the management system

At least one every 12 months



Applicable criteria to Accreditation Bodies- issued by SENASICA



ACCREDITATION ISO/IEC17065

Scope to the Law for Organic Products

Quality Management System (SGC) will be aligned to the whole of areas requested for approval:

1. Plant production
2. Plant production of wild collection
3. Animal production (domestics)
4. Animal production of natural ecosystems or non domestic
5. Animal production of insecta class
6. Animal production of Aquaculture
7. Production of Fungi class
8. Processing of products from agricultural activities
9. Marketing of products from agricultural activities

SENASICA will request compliance with the **CONVENING** for the approval published in the Official Federation Journal.

APPROVAL REQUIREMENTS

- Conditions established on the CONVENING TO OBTAIN THE APPROVAL AS AN CERTIFICATION BODY FOR ORGANIC PRODUCTS.

https://www.dof.gob.mx/nota_detalle.php?codigo=5534565&fecha=13/08/2018

20 Documental requirements, whose content is verified to assess compliance.

Details:

- Accreditation
- Fees Payment, in accordance to the Federal Law of Fees Payment
- Founding act
- Last tax declaration
- List of personnel
- SGC

Offices in Mexico to receive audits and as contact point with requesting clients

Consultation SHCP - SAT

APPROVAL PROCEDURE

- **Approved Agreement: Article 28 and Annex 2**
- **Conditions established in the Approval Convening**

- ☐ **Registration of request - Approval module (SAOC)**

<https://sistemasssl.senasica.gob.mx/saocWeb/login.xhtml>

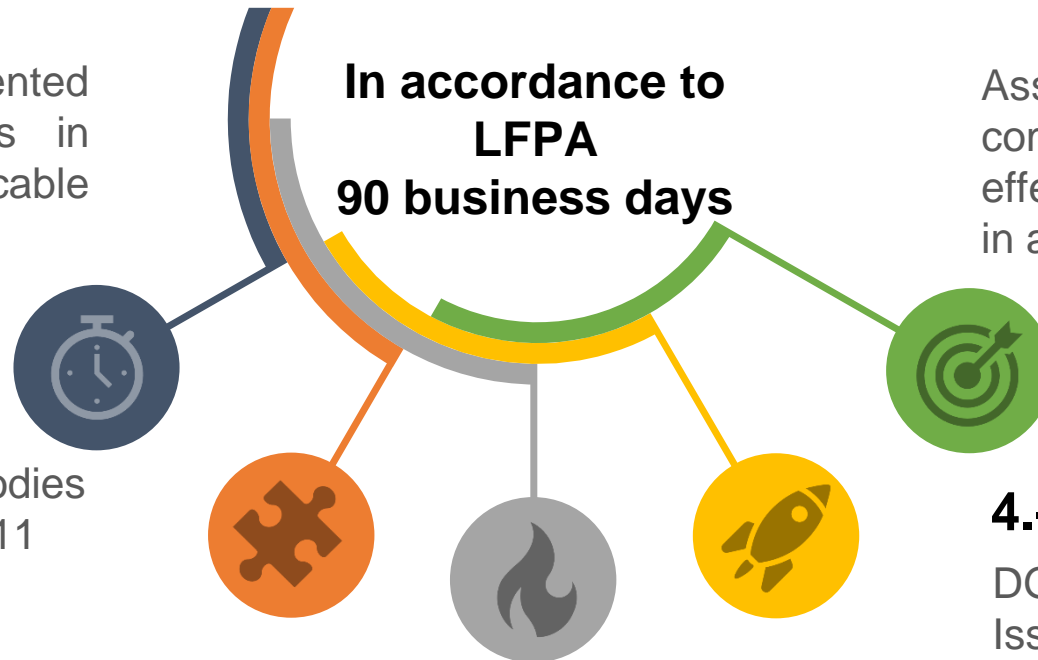
1.- Administrative phase

Validation of documented requirements and its contents in accordance to the applicable regulatory framework

2.- On site verification

Assessment in the certification bodies offices, to verify compliance: 19011

- Official letter (warrant)
- Inspection letter
- Detailed record of events.



3.- Witness audit

Assessment of the technical competence of the personnel and the effectiveness implementing the SGC in accordance to LPO

4.- Final dictamination

DGIAAP Evaluation Committee
Issuing proof: validity, areas, approval code.

OBLIGATIONS RESULTING FROM THE APPROVAL

- **Complying with requirements of 17065**
 - Impartiality committee -
 - Public information (services, fees, status of organic operations)
- **Complying with obligations resulting from the approval:**
 - Issuing organic certificates in compliance with the areas under which it is approved
 - Sending the annual and monthly activities reports
 - Transaction documents ,
 - Inspection and surveillance of the certified organic operations.
- **It will be subject of inspection and surveillance by SENASICA**

Conclusions and closure



For more information:

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THANKS!

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