



Entry into force of sanctions over NOM-051-SCFI / SSA1- 2010 - New labeling system

As we have been reporting, on March 27 of this year the Ministry of Economy published in the Federal Official Gazette, the amendment to the Official Mexican Standard for the Labeling of Prepackaged Food and Non-Alcoholic Beverages; the NOM-051-SCFI / SSA1-2010.

In this regard, the amendment to the NOM-051 established, among other obligations, that front labeling of products that should contain:

01. Nutritional information using the following stamps, as appropriate



02. The use of mandatory warning legends as applicable ("Contains caffeine, avoid in children", "Contains sweeteners, Not recommended in children").

Therefore, on October 1, 2020, the frontal labeling obligation came into force; While the rest of the numerals contained in the NOM will do so from April 1, 2021, and later; in accordance with the second and third transitory articles of the Amendment to NOM-051.

However, according to the "interinstitutional agreement concerning verification activities of the NOM-051", published in the Federal Official Gazette on 31 July 2020, the authorities determined that there will not be any sanction to producers, importers, or retailers, who during the verification visits, do not display the frontal warning labeling system, **but until November 30th.**

Ergo, as from December 1st, 2020, the authorities in charge of supervising compliance with NOM-051 may impose administrative sanctions (warnings, fines, closure, arrest, suspension, annulment, cancellation, the prohibition of

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Legal Alert 43/2020 | December 2nd, 2020

commercialization, immobilization, securing, withdrawal from the market and/or issuance of alerts) against the subjects who fail to comply with the regulation.

The amendment to NOM-051-SCFI / SSA1-2010 and its following rules have generated various discrepancies of interpretation and application so that there are still several key points that must be specified; therefore the obliged subjects must prepare different legal strategies to face the beginning of enforcement of the rest of the numerals of the NOM 051.

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