

International Obligations of Mexico on Technical Barriers to Trade

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Mexico: 11th world exporter

14 Free Trade Agreements with 50 countries



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Source: WTO and Secretaría de Economía

Agreement on Technical Barriers to Trade (TBT Agreement)



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The aim of the Agreement is to ensure that **technical regulations, standards** and **conformity assessment procedures** do not constitute unnecessary barriers to international trade.

It recognizes the right of WTO Members to implement measures to achieve **legitimate** public policy **objectives**.

As general principle at the international field, when pursuing the achievement of this legitimate objective, **WTO Members shall avoid the adoption of measures that restrict international trade more than necessary.**

TBT Agreement

Scope of Application

Technical Regulations

NOM

Establish characteristics of a product or related processes and production methods.

mandatory compliance

May include requirements for terminology, symbols, packaging, marking or labelling.

Standards

NMX

Set rules, guidelines or characteristics for products or production processes and methods.

voluntary compliance

May include requirements for terminology, symbols, packaging, marking or labelling.

Conformity Assessment Procedures

Any procedure for determining compliance with the relevant requirements of technical regulations or standards.

include: Sampling, testing and inspection, assessment, verification, certification and conformity assurance, registration, accreditation...

TBT provisions in Mexico's FTAs



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No discrimination

No unnecessary
obstacles to trade

Based on
international
standards

Transparency

Reasonable
period for entry
into force

- **The TBT chapters** of the trade agreements that Mexico has signed in recent years **recognize, incorporate and in some cases go beyond** the essential principles of the WTO TBT Agreement.
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WTO Committee on Technical Barriers to Trade

OBJECTIVES

... affording Members the opportunity of consulting on any matters relating to the operation of this Agreement or the furtherance of its objectives **(Article 13.1 of the TBT Agreement)**.

The Committee addresses:

- *Notifications*
- *Specific trade concerns (STC)*
- *Technical assistance activities; and*
- *Differences caused by technical barriers.*

- The Committee holds **three formal meetings per year**.
- **Workshops or thematic sessions may be held prior to each formal meeting** (WTO members and observer governments may attend).
- **International intergovernmental organizations** (some of them standardization organizations) **participate as observers**.
- **Delegations may hold informal meetings** between such meetings.
- The WTO TBT Committee has adopted several decisions and recommendations to facilitate the implementation of the TBT Agreement.

National Coordination

1

Ministry of
Economy
(DGDCI II)

National TBT
Committee
• 3 times per
year

Consultation
with industry
sectors and
government
agencies

Reception of
concerns from
stakeholders.

Analysis of
concerns
received with
competent
national
regulators and
submission to
WTO.

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WTO TBT
Committee

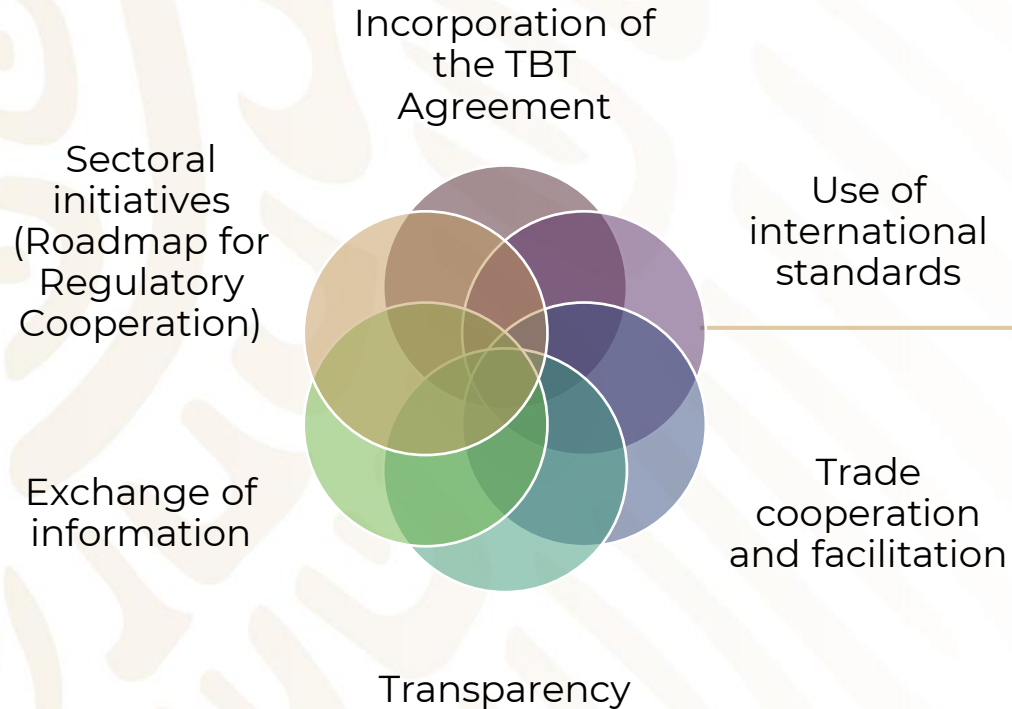
3 meetings
per year

Ministry of
Economy
leads the
participation
of MX in the
WTO TBT
Committee

- The National TBT Committee is open to call.
- No formal process to be part of this Committee.

Mexico's commitments under the Pacific Alliance

TBT Chapter

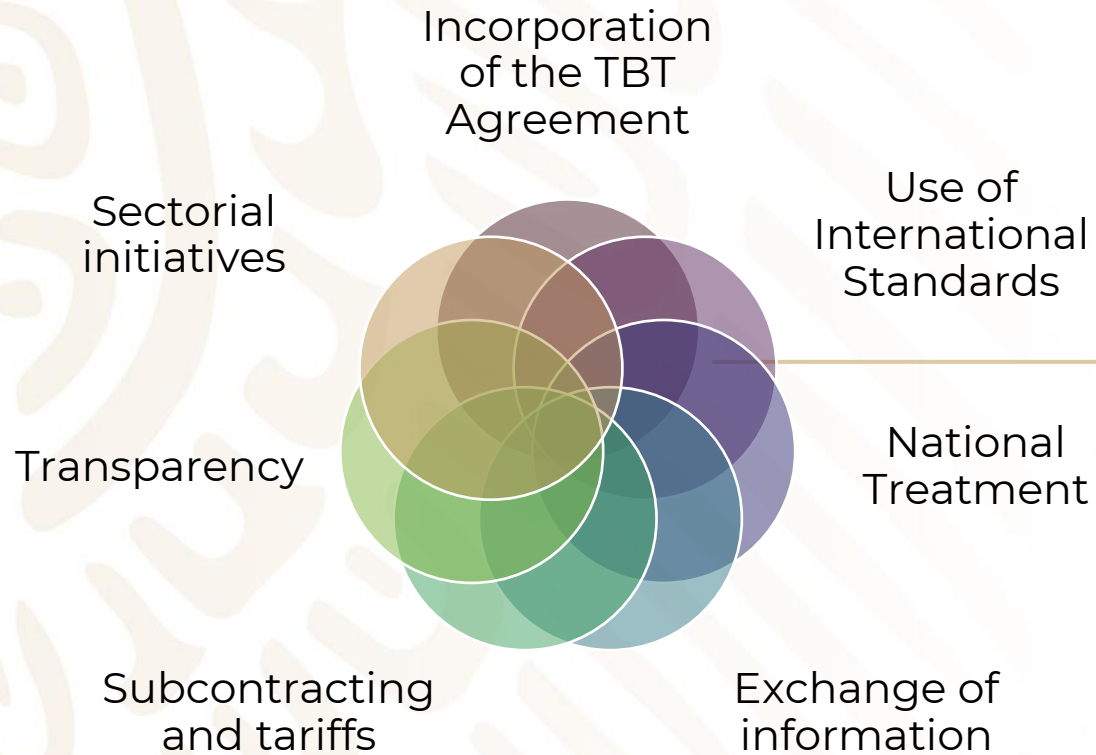


Annex on Medical Devices (MD)

- Collaboration through initiatives of international organizations in order to harmonize regulations.
- Classification of medical devices according to the level of risk.
- Acceptance of GMPs certifications issued by the country of origin or ISO 13485 certificate model.
- Harmonization of requirements for the marketing authorization of low-risk MDs.
- Recognition among parties of marketing authorizations for low-risk MDs.

Mexico's commitments under the T-MEC

TBT Chapter



Annex on Medical Devices (MD)

- Collaboration through international and regional initiatives.
- Risk-based classification of MDs.
- Cooperation on inspections of quality management systems of manufacturers. Recognition of audits under MDSAP.
- Harmonization of criteria for granting / renewing marketing authorizations.
- It is allowed to re-label MD or use of a supplementary label after importation, but prior it is placed in the market.

Sectoral Annexes

Remove trade barriers in specific sectors and promote better regulatory practices.

Pacific Alliance

Organic Products

Cosmetics

Medical Devices

Housekeeping products

T-MEC

Energy Performance Standards

Cosmetic Products

Medical Devices

Pharmaceuticals

Information and Communication Technology

Proprietary formulas for pre-packaged food and food additives

Chemical Substances

Distilled spirits, wine, beer and other alcohol beverages

Thank you!

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