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Mexico

Solid Wood Products

Mexico Announces Emergency Standard for Solid Wood Packaging Materials (NOM-EM-144-SEMARNAT-2003)

2004

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Report Highlights:

On November 26, 2003, the Mexican Secretariat of the Environment and Natural Resources (SEMARNAT) published in the Diario Oficial (Mexico's "Federal Register") a new phytosanitary standard to regulate Mexican solid wood products used as packaging material. This action in response to an agreement between the Heads of the National Plant Protection Organizations of the United States, Canada and Mexico under ISPM 15 of the International Plant Protection Convention (IPPC) entitled, "Guidelines for Regulating Wood Packaging Material in International Trade".

Includes PSD Changes: No
Includes Trade Matrix: No
Unscheduled Report
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[MX]

Disclaimer: This summary is based on a *cursory* review of the subject announcements and therefore should not, under any circumstances, be viewed as a definitive reading of the regulations in question, or of its implications for U.S. agricultural export trade interests. In the event of a discrepancy or discrepancies between this summary and the complete regulations or announcements as published in Spanish, the latter shall prevail.

Executive Summary: On November 26, 2003, the Mexican Secretariat of the Environment and Natural Resources (SEMARNAT) published in the *Diario Oficial* (Mexico's "Federal Register") NOM-EM-144-SEMARNAT-2003, an emergency regulation which outlines guidelines that will affect Mexican solid wood products used as packaging material for exports. This action is in response to an agreement between the Heads of the National Plant Protection Organizations of the United States, Canada and Mexico under ISPM 15 of the International Plant Protection Convention (IPPC) entitled, "Guidelines for Regulating Wood Packaging Material in International Trade", approved by the IPPC on March 15, 2002. The above mentioned regulation is an Emergency "*NOM*" (Norma Oficial Mexicana) which has a validity of 6 months. According to SEMARNAT authorities, the emergency NOM will be replaced later this year (2004) following publication in Mexico's "Diario Oficial" of PROY-NOM-014-SEMARNAT-2003, which will also regulate imported solid wood packing material (SWPM). Currently, NOM-014 is being reviewed by the Federal Commission of Regulatory Improvement (COFEMER).

The target date agreed for implementation of the IPPC guidelines was January 2, 2004. On May 20, 2003, the Animal and Plant Health Inspection Service (APHIS) of the USDA announced in the Federal Register its intent to amend its regulations according to the IPPC to require that all SWPM entering the United States either be heat-treated or fumigated and marked accordingly. However, on October 30, 2003 APHIS revised the implementation date (2003 State Cable 153943) to April or May 2004, but will begin issuing notices from January 2, 2004 to the National Plant Protection Organizations for material not appropriately treated and marked leading up to strict enforcement of ISPM No. 15 expected by mid-year 2004.

In Mexico, SEMARNAT published in the *Diario Oficial* NOM-EM-144-SEMARNAT, with technical specifications for the approved phytosanitary treatments recognized by Mexico, and the identity mark to ensure compliance. Alternative phytosanitary measures (treatments) not established or recognized in this standard, must be previously approved by SEMARNAT, following the procedure established in article 49 of the Federal Law on Metrology and Standardization. The United States and Canada will also adopt measures equivalent to the one mentioned in the Mexican standard. According to SEMARNAT authorities, when Mexico is confident that internally the industry is in full compliance with this standard, they will begin to require that other countries that export to Mexico comply with equivalent measures for wood packaging materials.

For more information on NAPPO and IPPC, please go to the following link:
<http://www.nappo.org/Standards/Woodpacking-bil.htm>

Solid Wood Packaging Materials Included in this Standard: Pallets, boxes, cases, packing blocks, dunnage, crates, drums, load boards and skids, within others.

Wood Packaging Materials Excluded: Those made wholly of wood-based products such as plywood, particle board, oriented strand board or veneer that have been created using glue, heat and pressure or a combination of these. Veneer peeler cores, sawdust, wood wool and shavings, and raw wood cut into pieces of 6 mm thickness or less.

Pests Associated with Solid Wood Packaging Materials:**a) Insects:***Anobiidae**Bostrichidae**Buprestidae**Cerambycidae**Curculionidae**Isóptera**Lyctidae (with some exceptions for the thermal treatment)**Oedemeridae**Scolytidae**Siricidae***Nematodes:***Bursaphelenchus xylophilus*

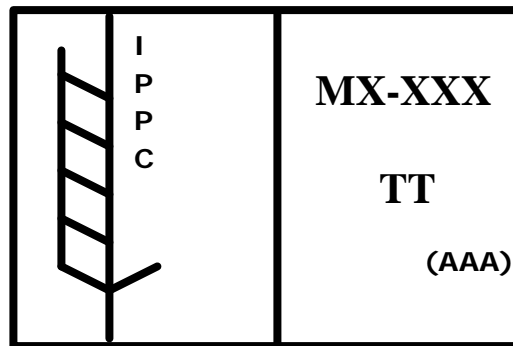
Recognized Phytosanitary Treatment: Thermal Treatment (TT). Heat will be applied to the wood without noticeable bark with a sequence of time-temperature which allows for a minimum temperature in the center of the board of 56°C, for a minimum of 30 minutes. Kiln drying (KD), the chemical impregnation with pressure (IQP) or other treatments can be considered thermal treatments as long as they fulfill the temperature specifications mentioned above. When the wooden packing is subjected to any of these aforementioned treatments the indicated initials (KD or IQP) will have to be incorporated next to the identity Mark following the abbreviation TT.

Alternative Measures: In case SEMARNAT authorizes alternative phytosanitary measures, the authorization must first be published in Mexico's Diario Oficial ("Federal Register"), and will have to include the type of authorized treatment, its technical specifications and abbreviation of the treatment, for it to be included in the identity Mark.

Approved Treatment Identity Mark: On December 18, 2003, procedures and requirements under the Mexican regulation for the use of an identity Mark (expected to be recognized world-wide) were published by SEMARNAT in the Diario Oficial. The identity mark is to ensure that the solid wood packaging materials used for export have received one of the approved treatments mentioned in ISPM No. 15 of the International Plant Protection Convention (IPPC) guidelines. This standard follows the agreement between Mexico, the United States and Canada, as members of the North American Plant Protection Organization (NAPPO), to prevent the introduction of pests of quarantine significance via solid wood packaging materials (SWPM).

The treatment Mark should be readable, permanent and must be placed in a visible place on at least two opposed sides of the wooden packing. Red and orange colors should not be used as colors of the Mark. The Mark can be painted preferably with permanent black ink, branded or stamped. Labels or decals are not allowed. The Mark is non-transferable. The placement of the Mark on dunnage will depend on the dimensions and should be placed at regular intervals along the dunnage.

Design of the Mark: The design of the Mark and its content will be based on the following format:



Descriptive Content of the Mark:

- a) XXX - unique Number granted by the Secretary to the authorized company for the use of the Mark.
- b) MX - The two letters of the ISO code for Mexico.
- c) TT - Abbreviation of the thermal treatment at 56°C for a minimum of 30 minutes.
- d) AAA - Code of the authorized registrant's identification (optional).

Authorization for the Use of the Mark: The authorization will be issued, on behalf of the SEMARNAT, by the General Directorate of Forest and Soil Administration or by the Federal Delegations of the SEMARNAT.

Use of the Mark:

- 1) The purpose of the Mark exhibited in the packaging materials, is to certify that it has been submitted to the phytosanitary measure (treatment) established in the NOM-EM-144-SEMARNAT-2003.
- 2) When the holder of the Mark authorization performs one of the approved treatments, a document in original and two copies specifying the following information must be submitted:
 - a) Phytosanitary measure (treatment) applied.
 - b) Date of application of the phytosanitary measure (treatment).
 - c) Number of pieces treated, volume in cubic meters and type of packaging material.
 - d) Type of wood (conifer, non-conifer, or a combination of both).
 - e) Declaration whether the wood packaging material is new, used, or re-constructed.
 - f) Corporate or individual contact information (commercial name, address, telephone, fax, and e-mail account).

- g) Time duration from start of the treatment process until the parameters established in the NOM-EM-144-SEMARNAT-2003 are reached, and the time that the packaging materials were under such conditions.
- h) Additional information referring to the treatment.

The original document shall be given to the owner of the packaging materials, one copy for the file of the authorization holder, and another copy for the authority that issued the authorization.

Regulatory Surveillance: The surveillance of the compliance with this standard is the responsibility of the Federal Attorney's Office of Protection to the Environment (PROFEPA), acting on behalf of SEMARNAT, whose personnel will carry out the inspection works and necessary surveillance. Infractions will be prosecuted according to the "General Law of Sustainable Forestry Development and Acting Regulation", and other applicable legal procedures.

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Internet Connections: Visit our headquarters home page at www.fas.usda.gov

International Plant Protection Convention (IPPC): The IPPC is a multilateral treaty deposited with the Director-General of the Food and Agriculture Organization of the United Nations. The United States, Canada and Mexico and 128 other countries are contracting parties to the IPPC. (<http://www.ippc.int/IPP/En/default.htm>).

North American Plant Protection Organization (NAPPO): <http://www.nappo.org>

Implementation of ISPM No. 15 on Wood Packing Materials in NAPPO countries:

<http://www.nappo.org/Standards/Woodpacking-bil.htm>

Useful Mexican Web Sites: Secretariat of the Environment and Natural Resources web site can be found at www.semarnat.gob.mx. This web site is mentioned for the reader's convenience but USDA does NOT in any way endorse, guarantee the accuracy of, or necessarily concur with the information contained in the mentioned site.