International Approvals for Mexico FAQs

The recent economic environment is forcing companies to get more for their dollar. One of the most obvious ways of doing this is selling an existing product or product line in new markets. As more and more companies turn their attention to international markets, they need to pay close attention to the regulatory framework around the globe as it is a very real barrier to the desire to tap into new markets. In many new and emerging markets the biggest obstacle standing in the way of manufacturers and new customers is a government regulator. This white paper, prepared in a question & answer format, addresses the requirements for Mexico, our southern neighbor where TÜV Rheinland North America has a Mutual Recognition Agreement (MRA) with its sister company, TÜV Rheinland Mexico.

Q. What is US NRTL?

A. NRTL stands for Nationally Recognized Test Laboratory. A complete list of US NRTLs may be seen at http://www.osha.gov/dts/otpca/nrtl/nrtlmrk.html.

Q. What is an MRA and what does it mean?

A. A Mutual Recognition Agreement (MRA), is an agreement where results of conformity assessment procedures from an organization from one country are recognized by an organization from another country as equivalent to its own procedures. This recognition usually is at a laboratory level (Test Report vs Test Report) or at a certificate body level (Certificate vs Certificate).

At TÜV Rheinland North America, Product Safety NOM certificates may be applied based on test reports issued by TÜV Rheinland subsidiaries (such as TÜV Rheinland Mexico) according to IEC standards and UL (NRTL) standards.

Q. What is an Addendum?

A. Through a Safety Equivalence Agreement for Electronic Products published by the Government under the framework of North America Free Trade Agreement, it is intended to link the information of the license holder and the details of the product models listed in the NRTL certificate vs the Mexican importer data. They call this NRTL recognition — Addendum. This means that the cTÜVus is valid to import and commercialize the product in Mexico. This validity is obtained through a "letter" named Addendum issued by TÜV Rheinland Mexico. This is not a **NOM** certificate and NOM logo cannot be used. As long as the cTÜVus is valid, the Addendum is valid, and no maintenance surveillance in Mexico is required.

Q. What products fall under the Mexican Addendum?

A. Products covered under the safety NOM agreement are:

1. Home electronics such as audio/video
2. Information technology equipment
3. Office equipment

As not all equipment in each group is 100% covered it is suggested that the Harmonized Tariff Codes (HS Code) always be checked for verification. Known exceptions to the Mexican Addendum include AC adapters, battery chargers, power supplies, alarm systems, answering machines, microwave products, RF amplifiers, infrared and UV products, uninterruptable power supplies, voltage regulators, lamps, lighting products (luminaires), electric toys and dolls.

Q. If external AC/DC power adapters do not fall under the new Addendum/NRTL recognition process, must they still obtain formal NOMs?

A. If external AC/DC adapters are to be approved as stand-alone products, they do not fall under the addendum process and must get formal NOM approval.

Q. Why are some standards NOM and others NMX?

A. The regulatory framework in Mexico is pretty complex. Mexican Official Standards (NOM) are issued by the government and are mandatory. Mexican Standards (NMX) can be issued by the government or private entities and are voluntary (unless they are referred as mandatory in an NOM). Dispositions different than NOM or NMX are established by Laws and Rules.

Q. If one is using an existing NRTL approval is applying for this Addendum, at what point do they need to be renewed?

A. It is only necessary to issue a new Mexican Addendum when changes are made and a new NRTL certificate is issued, such as with additional model names, change in rating and the like.

Q. Who issues/authorizes certificates and assess regulatory requirements in Mexico?

A. The conformity assessment of the regulatory framework is performed by:

1. Private entities (for product safety and commercial information requirements)
2. Private entities with a final authorization by the government (for telecommunication requirements)
3. Government (for environmental, sanitary and phitosanitary requirements)

Q. Is there a standard form/format published for the Mexican Addendum?

A. There are mandatory fields to be provided as defined by the Mexican government. There may be some flexibility in the exact format left to the discretion of the various agencies.

Q. Is there a similar mutual recognition agreement with Canada?

A. Only the standard NAFTA agreement, although US NRTLs such as TÜV Rheinland are also accredited to test and issue marks for Canada safety.

Q. While the standards consider all voltage levels — does NOM cover products below 24V?

A. Safety NOMs do not apply for products under 24V, however, depending on the product, other NOMs may still apply, especially NOM-024/Commercialization NOM for retailed electronic products or commercialized in stores.

Q. If a power supply is part of a system approval (i.e. radio with external power supply), is it required for the individual power supply to have a NOM approval if certified to a NOM 001 equivalent (ex. UL60065)?

A. It is not necessary at this time to have the external power supply approved to NOM-001 if it is certified with the system. However, there remains some risk at customs, especially if the external power supply is shipped alone as a replacement part. TÜV Rheinland recommends that external power supplies only be purchased from vendors that have the required approvals to avoid these issues.

Since the NOM requirements are determined based on the HS code, it is possible in some cases to ship a power supply (as part of a system) into Mexico without any NOM approval, if the system itself does not require NOM certification. But again as a reminder, if the power supply of the exempted system is shipped into country separately, it must be NOM approved.

Q. What other exclusions are there for ITE products where NOM is not required?

A. There are some cases where highly specialized equipment can be granted exemption. Once again these need to be verified with the authorities in Mexico and checked against the HS Code.

Q. For the new NOM certification is a business presence in Mexico required?

A. It is mandatory under both old and new regulations that a legal importer in Mexico holds the license for all products. If the product is under the NRTL process, then a copy of the Mexican Addendum should be provided to the importer.

Q. What documentation is required under the "old" NOM approval system, and are CB Reports required and/or helpful?

A. This really depends on the standard — and the organizations with which the manufacturer is working in the US. Currently, TÜV Rheinland can accept any CB report for ITE or a/v products or a TÜV Rheinland report supporting a cTÜVus certification, so in most cases additional in-country safety testing can be avoided.

Q. Once all countries have accepted it, will the new IEC standard 62368-1 be covered the same way as 60950 and 60065?

A. As of July 2015 this has not yet been determined.

Q. Has there been any change to NOM labeling requirements, and if the NRTL recognition process is followed, must the product still bear the appropriate NOM marking?

A. NOM label is not required for products that fall under the new NRTL agreement if the market access is gained using the NRTL Certificate with Mexico Addendum.

Q. What are the lead times for Product Safety?

A. Product Safety typically requires 10 working days for electronics and 25 working days for electric, including testing. Using the MRA Scheme with CB test report and certificates lead times can be reduced to 2-4 working days, while using the MRA Scheme with CB report but without a CB Certificate can take 10 days. These lead times cover:

- NOM-001: Electronic equipment for domestic use with input from different electrical power sources;
- NOM-019: Data-processing equipment;
- NOM-003: Electrical Products.
  - » NMX-J-521: Electro-domestic products, Household appliance;
  - » NMX-J-524: Electro-domestic products, Household appliance;
  - » NMX-J-508, Electric devices.

Q. Is there an annual fee to apply the NOM mark?

A. For products covered under the new NRTL agreement there is no annual fee, and of course there is no NOM mark on these products. All other products that have a NOM mark typically pay an annual renewal for the one year license.

Q. If a manufacturer previously held a NOM but was interested in the "addendum" instead, would the products continue to be marked NOM?

A. Typically manufacturers do not need to continue to mark their products with the NOM if they are using the NRTL process and keeping current with the standards and addendum.

Q. What are the advantages and disadvantages of having an addendum vs NOM safety Mark

A. The advantage is that there is no additional mark, no NOM to maintain and the Addendum may be maintained at the same time as the cTÜVus Mark. The disadvantage is that a customs officer might not be able to tell if a product has safety approval, meaning that product might be questioned and delayed in customs. The advantage is that there is no additional mark, no NOM to maintain and the addendum may be maintained at the same time as the cTÜVus Mark. The disadvantage is that Mexican customs officials — who do not report to Mexican safety regulators and often are not familiar with safety requirements — might question an unmarked product's compliance status, which could cause customs delays.

Q. What website lists the standards that are part of this MRA with Mexico?

A. http://www.ita.doc.gov/td/standards/Markets/Mexico/August%202010%20NOM%20Harmonization%20Final.pdf

Q. Does EN 61010 equipment fall under the general equipment NOM?

A. No — the products that are covered under the safety NOM agreement are:

1. Home electronics such as audio/video
2. Information technology equipment
3. Office equipment

Q. What is the process to certify Wind Turbine components like Generators or Converters?

A. Machines or parts do not need to be certified.

Q. Do PC add-in cards (graphics card, sound card) require EMC/safety regulatory compliance in Mexico?

A. Such products are below the required voltage level so no safety approval is necessary.

Q. What about the medical device registration process?

A. The primary requirements for medical device testing, evaluation proceedings and other requirements for the United States and Canada are equivalent to those the Mexican authority requires for the guarantee of quality. For safety and efficiency of medical devices, it is possible to apply for registration in Mexico with the approval by Food and Drug Administration (FDA) or Health Canada. This will help to simplify the administrative proceedings. Please note: it is not an immediate certification, but it helps to reduce the information that must be submitted to get the certification. None of the changes discussed with the NRTL agreement change any of the medical registration requirements for medical products.

Q. Does Mexico recognize the emerging Energy Efficiency regulations, the US EnergyStar & Europe's EuP/ERP Directives?

A. No

Q. Is Mexico working to enforce "mandatory" energy consumption labels for all electrical household appliances?

A. Yes – the mandatory Energy Efficiency labeling requirement came into force in September of 2011. There is a published list of close to 200 items that require this labeling.

Q. What are the Energy Efficiency approvals requirements in Mexico?

A. There are three areas that are covered here: Energy Consumption Labelling, Energy Efficiency for Luminaries and Lamps; and Potency Consumption Labelling

Energy Consumption Labelling: The Ministry of Energy in Mexico has published a Catalogue of Products that must comply with the Energy Consumption Labeling, which requires that the product must show on a label the current consumption in volts when operated in stand-by mode. This approval has to be done behalf the Ministry of Energy.

Energy Efficiency for Luminaries and Lamps: These products need to comply with energy efficiency requirements to be commercialized, and currently the testing must be done in Mexico.

Potency Consumption Labelling (NOM-032-ENER-2013):
This standard sets out the maximum electrical power limits for equipment and appliances requiring stand-by power. It also establishes the information to be included on the energy-efficiency labels required on products marketed in Mexico and responds to the need for such products to be conducive to energy efficiency and energy saving. It will be in force by September 27th 2014.

Q. Do these Energy Efficiency standards impact store displays?

A. According to the standard, products that are already in Mexico's stores and that were imported prior to the standard becoming enforced can be excepted from the compliance with the standard, but stores need to prove this in case the authority seeks to verify the product at retail level.

Q. What are the Energy Efficiency standard's main requirements?

A.
- Decoder (DVR): Must not exceed 15 W on stand-by Mode with recorder and must not exceed 5 W with no recorder
- Sound reproduction equipment: Must not exceed 2 W on stand-by mode
- Image reproduction equipment: Must not exceed 2 W on stand-by mode
- Microwaves: Conventional must not exceed 2.5 W; others 5 W on stand-by mode.
- TVs (LED, LCD, PDP, OLED); Must not exceed 1 W on stand-by mode

Q. What is IFETEL and when are partnered laboratories able to do in-country testing for IFETEL?

A. As of September 2013, the Mexican telecommunications agency, the Federal Telecommunications Commission (COFETEL), has been replaced by IFETEL (Federal Institute of Telecommunications). IFETEL is in charge of the Mexico telecom type approval processes for all equipment requiring testing for importation into Mexico. COFETEL no longer exists.

IFETEL's responsibilities include:
- Defining the radiofrequency bands to be used for telecommunications and broadcasting that can be utilized by concessionaries
- Granting concessions and approve any concessions transfers
- Issuing/updating regulations for the telecom industry
- Identifying and regulating monopolies

For Mexico telecom-type approvals completed thru IFETEL, IFETEL will grandfather the products, retaining the same numbering system and the same homologation approval certificate numbers.

Moving forward, all products approved under the IFETEL Scheme should be labeled as follows:
- For products with on-board/integrated radios: "IFETEL: xxxxxxxxxxxx"
- For host products containing approved modules: "This product contains an Approved module, Model No. xxxx, IFETEL No. xxxxxxxxxxxx"
- Mexico's NOM-121 requirements and testing for radiofrequency equipment utilizing 900MHz, 2.4GHZ, and 5GHz will remain the same with IFETEL.
- Each partner lab in the US must have an agreement with one of the accredited radio/telecom test labs in Mexico. This agreement must be approved by IFETEL. The agreement must specify what equipment is covered - possibilities include: 1.) NOM-151 analog telecom equipment, 2.) NOM-152 digital telecom equipment and 3.) NOM-121 wireless radio equipment (only the frequencies identified in the presentation).

Q. What are the expected timelines for IFETEL homologations?

A. 15 working days, including testing for:
- NOM-121: Radio communication systems employing spread spectrum technique functioning on the 902-928 MHz, 2400-2483.5 MHz and 5725-5850 MHz bands;
- NOM-151: Public network interface for terminal equipment.
- NOM-152: Public network digital interface (Digital interface at 2048 kbits/s).

Q. Do digital wireless products now have to be tested under NOM-152 or NOM-121?

A. Wireless products are tested under NOM-121 and only digital wireline products such as E-1, ISDN, etc. are covered under NOM-152. If the wireless product's frequency is not covered under NOM-121. The old process must be used.

Q. What are the mandatory requirements for unlicensed radio devices, and are FCC reports usable?

A. FCC reports will still be able to be used for IFETEL for frequencies not addressed in NOM-121. There are also 3 other NOMs for wireless products that were addressed under the new law when first published. These are not licenses frequencies either.

Q. Can telecom equipment be held up by customs?

A. It the telecom equipment also requires NOM safety (besides IFETEL for NOM-151 or NOM-152), then there is a chance it could get held up if it lacks the proper safety approvals. Customs typically check the HS Code which will identify the required NOMs, especially safety.

Q. Are there particular requirements for medical devices, ISM frequency implantable devices, programmers and PGs?

A. All radio products must have the required IFETEL certification to use the applicable spectrum. Power output requirements are part of the country requirements that are evaluated in granting or not granting the approval.

Q. Where is information on NOM-121-SCT1-2009 available?

A. In Spanish only: http://www.economia-noms.gob.mx/noms/consultasAction.do.

Q. How does TÜV Rheinland North America provide handle NOM/NMX approvals?

A. The TÜV Mexico office manages most of the electrical and electronic products certification for the following situations:

- Product Safety, Energy and Telecom standards
- Commercial Information standard/NOM 024
- Telecom Expert Approval:
- Energy Efficiencies:
  - » Energy Consumption Labelling
  - » Energy Efficiency for Luminaries and Lamps
  - » Potency Consumption Labelling (NOM-032-ENER-2013)

TÜV Rheinland is a global leader in independent testing, inspection, and certification services, ensuring quality and safety for people, the environment and technology in nearly all aspects of life. The company maintains a presence in 500 locations spanning 65 countries and employs 17,000 people.

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