

MÉXICO-CANADA-USA WORKSHOP
OVERVIEW OF MEXICO'S NATIONAL QUALITY INFRASTRUCTURE
LAW
VIA WEBEX

September 22, 2020

11:00 (Mexico City)/12:00 (Washington DC/Ottawa)

Audio en español

MEXICO

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Agenda for the workshop

Time/Hora	Subject/Tema	Presenter/Moderator Presentador/Moderador
11:00 (12:00)	Welcome and opening remarks Bienvenida	Emeterio Mosso Zempoalteca, Standardization Director, DGN
11:15-12:15 (12:15-13:15)	Mexico's new National Quality Infrastructure Law Nueva Ley de la Infraestructura de la Calidad de México	Alfonso Guati Rojo Sánchez, Director General, DGN
12:15-12:45 (13:15-13:45)	Moderated Question & Answer period Periodo de preguntas y respuestas	Ricardo Aranda Girard, Director General for International Trade Disciplines, Ministry of Economy
12:45 (13:45)	Summary and future plans Resumen y futuros planes	Erik Puskar, Senior Standards Specialist, NIST Gabrielle White, Senior Policy Analyst, SCC
13:00 (14:00)	Workshop concludes Conclusión del Taller	

Overview of México's Quality Infrastructure Law

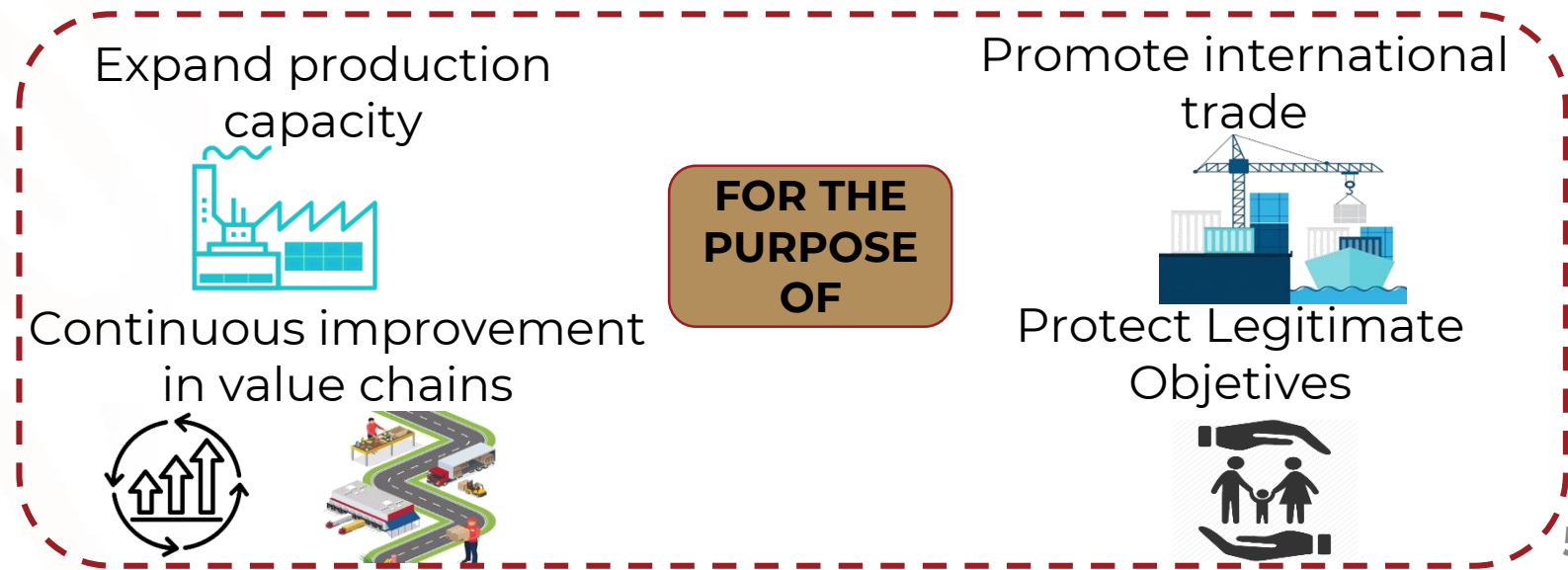
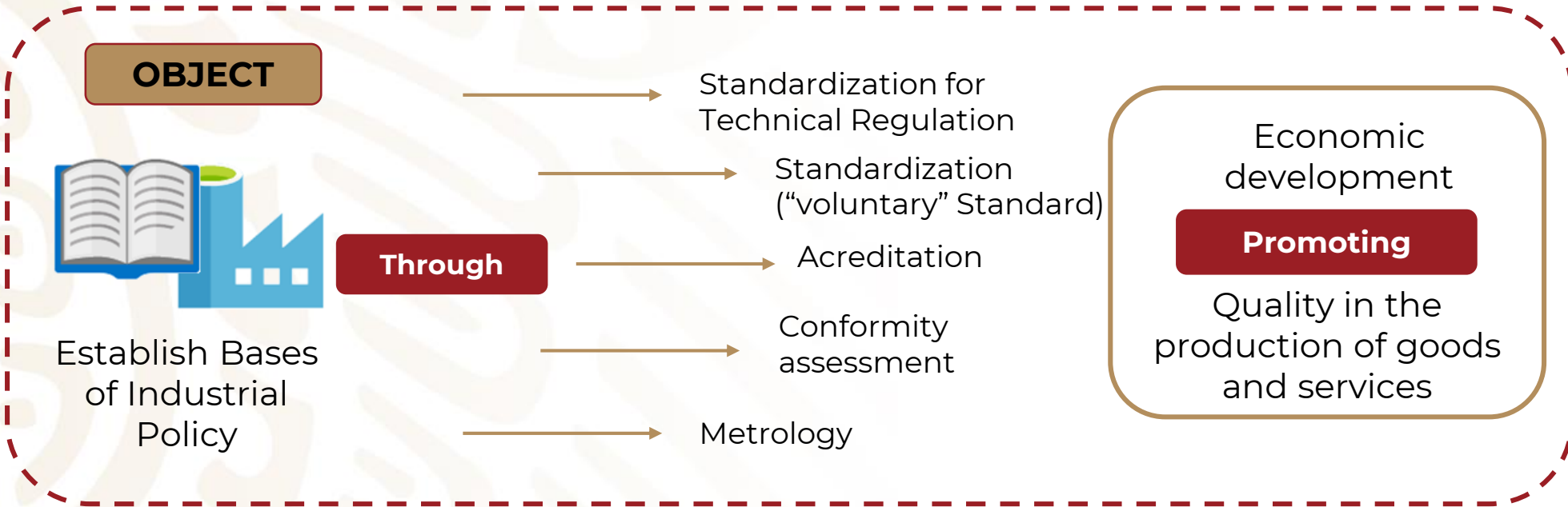


ECONOMÍA
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Content

- 1. Object of the Quality Infrastructure Law**
- 2. Purpose of the Quality Infrastructure Law**
- 3. Basic Principles and Legitimate Objectives of Public Interest**
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- 5. Obligations of the Standardizing Authorities**
- 6. Purpose of the Technical Regulation (NOMs)**
- 7. Subjects Empowered to Standardize**
- 8. Trade facilitation**
- 9. Market surveillance**
- 10. System of Metrology and Scientific Metrology**
- 11. Interpretation of the Quality Infrastructure Law**
- 12. Transitory Articles of QIL**

1. Object of the Quality Infrastructure Law



2. Purpose of the Quality Infrastructure Law



I. Concurrence of Technical Regulation (NOM) and Standards



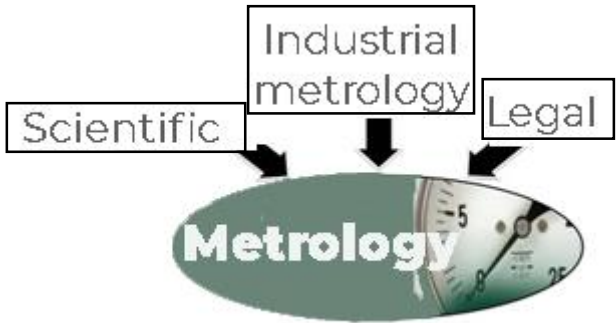
II. Establish coordination and collaboration mechanisms



III. Improve people's lives



IV. Creation of Physical and Digital Infrastructure



V. Promote Metrology and creation of Designated Institutes

3. Basic Principles and Legitimate Objectives of Public Interest

Sustained on:

- ✓ **Planning**
- ✓ **Transparency**
- ✓ **Integrity**
- ✓ **Certainty**
- ✓ **Efficiency**
- ✓ **Agility**
- ✓ **Maximum publicity**
- ✓ **International best practices**

- ✓ **Quality**
- ✓ **Coherence** (i.e. harmonics with International Standards)
- ✓ **Sustainability**
- ✓ **Traceability of measurements**
- ✓ **Inclusion**

4. Legitimate Objectives of Public Interest

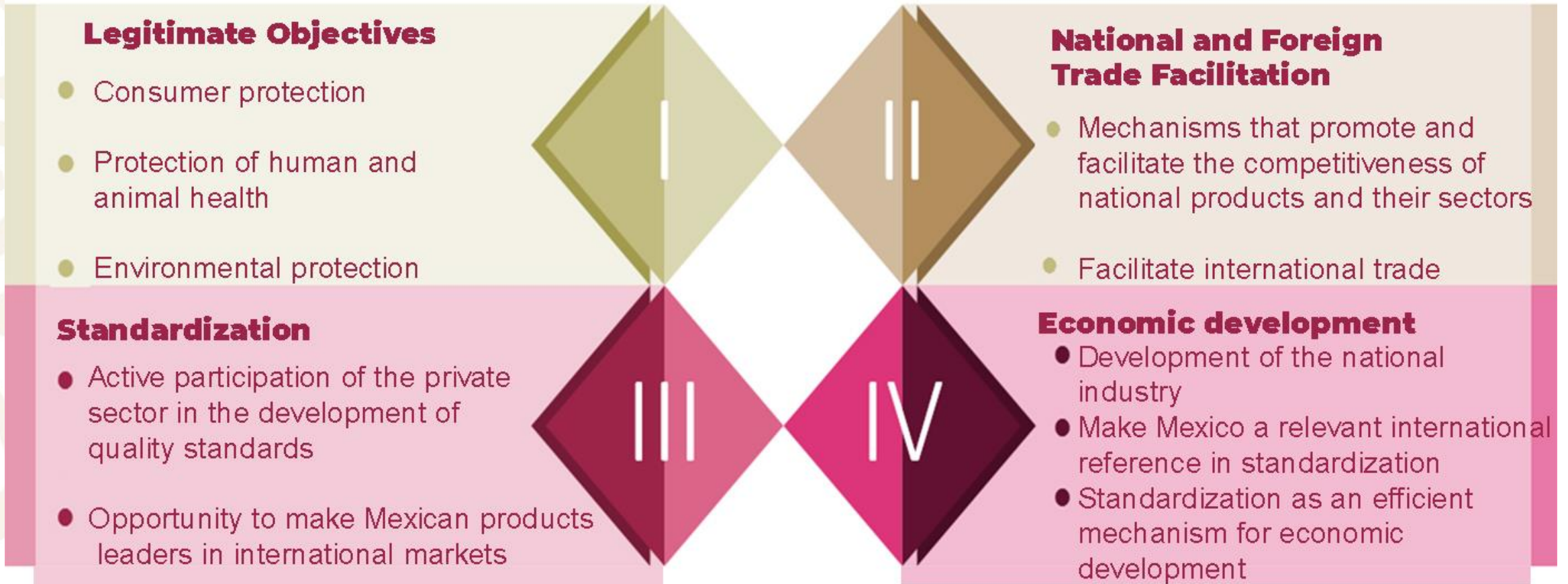
- ✓ Protection and **promotion of health;**
- ✓ Protection of physical integrity, health, and **life of workers in the workplace;**
- ✓ **Protection of organic production**, of genetically modified organisms, health and food safety, aquaculture, fisheries, animals and plants;
- ✓ **Food safety;**
- ✓ **Education and culture;**
- ✓ **Touris** services;
- ✓ **National security;**
- ✓ Protection of the environment and **climate change;**
- ✓ Use and exploitation of **natural resources;**
- ✓ Healthy **rural and urban development;**
- ✓ **Public works and services;**
- ✓ **Road safety;**
- ✓ Protection of the **right to information;**
- ✓ Protection of **denomination of origin**, and
- ✓ **Any other public need**, in terms of the applicable legal provisions.

5. Obligations of the Standardizing Authorities

In terms of standardization for Technical Regulation (NOM), standardization and Conformity Assessment and metrology

- ✓ **Fair processes** based on **stakeholder consensus**
- ✓ Use the **Integral Technology Platform for Quality Infrastructure (PLATICA)**.
- ✓ **Preside** their the National Committees for Standardization.
- ✓ **Integrate the Program and Supplement** with its Technical Regulations (NOM) and Standards proposals.
- ✓ **Emit Technical Regulations (NOMs)** and verify their compliance.
- ✓ **Evaluate conformity assessment** in absence of **Conformity Assessment Bodies (CAB) infrastructure**.
- ✓ **Monitor** the Accreditation Entities and CABs.

6. Purpose of the Technical Regulation (NOMs)



7. Subjects Empowered to Standardize



The professional college and associations, as well as any other moral person, **who proves their interest** may be authorized as a subject empowered to standardize.

Carry out **standardization activities** in the matter, field or specific economic sector.



8. Trade facilitation

Products to be imported must demonstrate evidence of conformance compliance. The evidence is in accordance with the **NOM Conformity Assessment Procedure** or **in terms of a mutual recognition or equivalence agreement**.

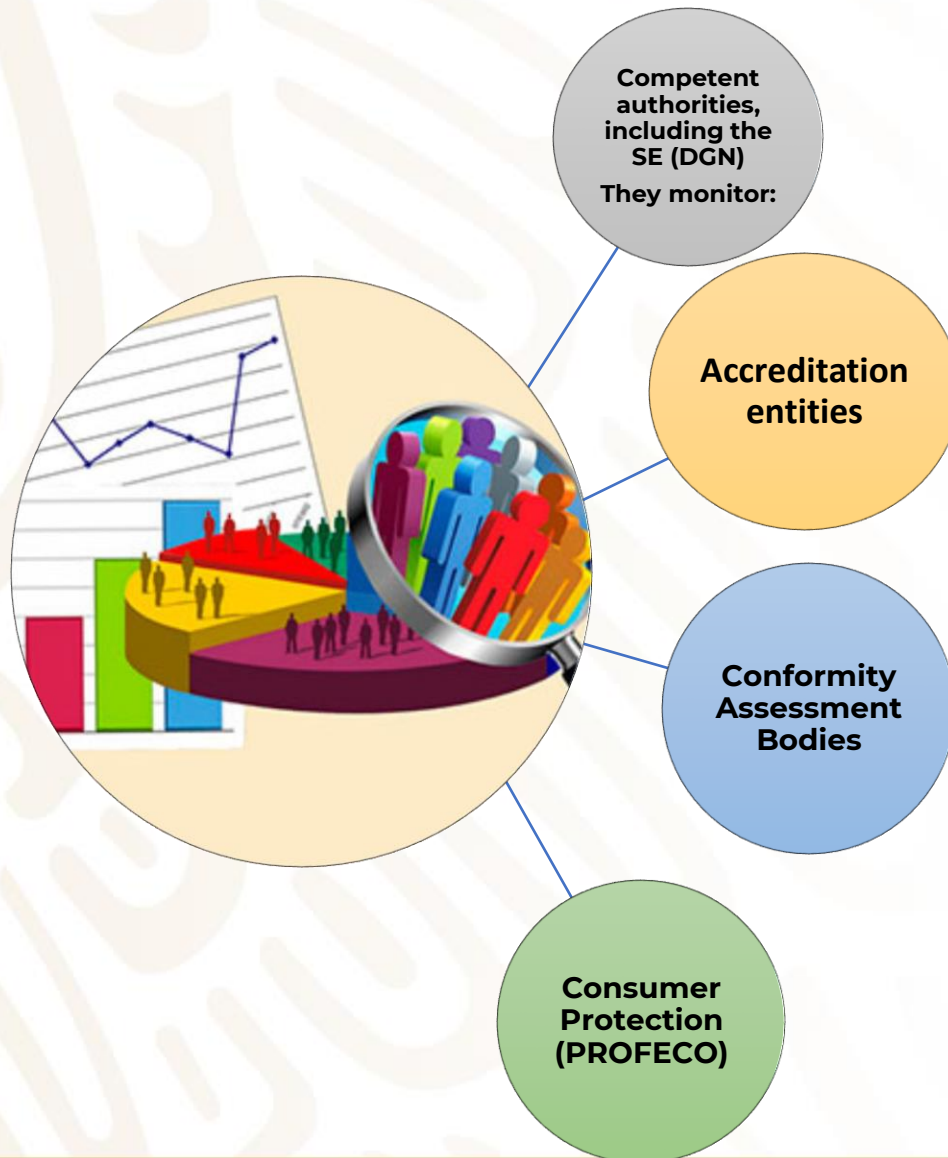
Agreement	Who	Type
Mutual Recognition Agreements	Authorities	Reciprocal
Mutual Recognition Arrangement	Private bodies	Reciprocal
Equivalence Agreement	Authorities	Unilateral or reciprocal

The **Rules of the QIL** may provide that the **Standardizing Authority establishes alternatives to how to comply** with the Conformity Assessment procedures.

9. Market surveillance

Interaction

Monitor, Conformity Assessment and accreditation



- Accreditation entities
- Conformity Assessment Bodies (CABs)

- They accredit the CABs, such as: Inspection Units, Laboratories, Certification Bodies

- They evaluate the compliance of products, services and processes with the NOM so they can be offered to the consumer, imported and marketed in the country

- In charge of defending the rights of consumers and guaranteeing fair consumer relations

Market surveillance

Quality Infrastructure Law



INSPECTION

Ocular confirmation or prove by sampling, measurement, laboratory tests or examination of documents that is carried out by the inspection units to assess the conformity at a given time at the request of the interested party.



VERIFICATION

Activity carried out by the competent authorities to verify through visits, information requirements or physical or electronic documentation, that the goods, products, processes and services comply with or are in accordance with the Technical Regulation (NOM).



MONITOR

Act by which the competent authorities review that the activities of the Accreditation Entities and the Conformity Assessment Bodies are carried out in accordance with the Law.

10. System of Metrology and Scientific Metrology

Objective: to **ensure the uniformity and reliability** of the measurements carried out in the country through **scientific metrology, legal metrology and industrial metrology.**

Integrated to:

- National Metrology Center,
- Designated Institutes of Metrology,
- Accreditation Entities,
- Conformity Assessment Bodies and other public or private entities that the Ministry of Economy determines.



Principles of Metrology

Legal metrology: includes the activities to the legal metrological control of instruments to measure that establishes the conformity assessment of the Technical Regulation (NOMs) and Standards.



Industrial metrology: it corresponds to the productive industries to ensure the traceability of the measurements they carry out, with the purpose of contributing to the reliability and uniformity of the measurements in coordination, when necessary, with CENAM, the **Designated Institutes of Metrology**, the CABs and Standardizing Authorities.

11. Interpretation of the Quality Infrastructure Law (QIL)

- ✓ In charge of the **Ministry of Economy**.
- ✓ **Mandatory** for all federal authorities and public entities.
- ✓ Standardizing Authorities may interpret the scope of the Technical Regulation (NOM) that they issue, **exclusively within the scope of their competence**.
- ✓ The Quality Infrastructure Law and its Rules **shall prevail over any other legislation applicable** to the Standardizing Authorities, in matters of **standardization of Technical Regulation, standardization, accreditation and conformity assessment**.

12. Transitory Articles of QIL

- FIRST.** Entry into force: **Sunday, August 30, 2020.**
- SECOND.** The Federal Law on Metrology and Standardization (FLMS) **is abrogated.**
- THIRD.** The **Rules of the QIL** will be issued no later than **August 30, 2021.**
- FOURTH.** The Proposals, Preliminary Drafts and Projects of NOM and Standards **in process** must **conform** to the FLMS and its Rules **until their conclusion.**
- FIFTH.** The **procedures and applications** submitted **will be resolved** in accordance with the FLMS and its Rules of FLMS.
- SIXTH.** The authorizations, accreditations, registrations and approvals issued will continue **in force** until **the end of their validity.**

12. Transitory Articles of QIL

- EIGHTH.** The **administrative provisions**, contained in other ordinances, will **continue in force**.
- NINTH.** **References** made to the FLMS **will be understood** as referred to in the **Quality Infrastructure Law**.
- TENTH.** The Ministry of Economy and the Standardizing Authorities will **implement** the provisions of the Law **without requiring additional resources** or **increasing their budget** for the current fiscal year and subsequent ones.
- ELEVENTH.** The Ministry of Economy will assume the **Permanent Presidency** of the Commission as of **January 1, 2021**.

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Moderated Question & Answer period

12:15-12:45
(13:15-13:45)

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Summary and future plans

12:45
(13:45)

Erik Puskar,
Senior Standards Specialist,
National Institute of Standards & Technology (NIST)

Gabrielle White,
Senior Policy Analyst,
Standards Council of Canada (SCC)

Joseph Tretler,
Vice-President,
International Policy American National Standards Institute (ANSI)

Workshop concludes

Thank you/ Gracias

Workshop Hosts

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