

MINISTRY OF ECONOMY

MODIFICATION to the Norma Oficial Mexicana NOM-051-SCFI/SSA1-2010, General labeling specifications for prepackaged foods and non-alcoholic beverages- Commercial and health information, published on April 5, 2010.

Summary

1. Aims and application field

The principal aim of Norma Oficial Mexicana is to establish the commercial and health information that the labeling of the prepackaged product destined for the final consumer, of national or foreign manufacture, marketed in national territory, as well as to determine the characteristics of said information and establish a system of front-of-package labeling, which must clearly and truthfully warn about the content of critical nutrients and ingredients that pose risks to your health in excessive consumption.

3.47. Front-of-Pack Labeling System

Information system located on the main display panel, which shows in a truthful, direct, clear, simple and visible way, when a prepackaged product presents an excess content of energy, critical nutrients and ingredients that represent a risk to health in excessive consumption, and which includes labels and warning captions described in sections 7.1.3 and 7.1.4.

Definitions

3.4 Sugars

All monosaccharides and disaccharides present in a food or non-alcoholic beverage.

3.5 Added sugars

Free sugars added to food and non-alcoholic beverages during industrial processing.

3.6 Free sugars

Available monosaccharides and disaccharides added to foods and non-alcoholic beverages by the manufacturer, plus the sugars that are naturally present in honey, syrups, and fruit or vegetable juices.

Specifications

4.1 to 4.1.3 ...

4.1.4 On the main display panel of prepackaged products, labels or health claims of recommendation or recognition by professional organizations or associations may be included when they present the appropriate documentation that supports with scientific, objective and reliable evidence, the evaluation of the product in accordance with the provisions of the Article 32 of the Ley Federal de Protección al Consumidor. For the granting of the endorsement, the products must not exceed one or more of the added critical nutrients established in table 6, and must specify the target population with a specific health condition. The certifications of conditional properties indicated in numeral 6.2 are excepted.

4.1.4. Bis The main display panel of prepackaged products that do not contain warning labels and warning captions, can only declare it in writing through the phrase "This product does not contain labels or warning captions" and must not use graphic or descriptive elements alluding to them. The statement must be placed on the information surface and its typography and size must be equal to or less than the minimum quantitative size of the net content in accordance with NOM-030-SCFI-2006.

4.1.5 Prepackaged products that bear one or more warning labels or the warning caption of sweeteners, must not:

a) include on the main display panel children's characters, animations, cartoons, celebrities, athletes or pets, interactive elements, such as visual - spatial games or digital downloads, which, being aimed at children, incite, promote or encourage consumption, purchase or choice of products with excess of critical nutrients or with sweeteners, and

b) make reference on the main display panel to elements outside it with the same purposes of the previous paragraph.

4.2.2.1.8 Added sugars must be declared according to the following:

a) grouped by putting the words "added sugars" in front followed by the list in parentheses with the specific names of all added free sugars present in the prepackaged product, except those that are part of a compound ingredient, if any;

b) in decreasing quantitative order m/m as corresponds to the sum of all the added sugars considered in part a), and

c) When there are compound ingredients in which several added sugars are part, these must also be grouped within it, in accordance with the provisions of paragraphs a) and b),

Table 3. Nutrition facts presentation

Nutrition Facts	Per 100g or 100 ml
Calories	_____ kcal (KJ)
Protein	_____ g
Fats	_____ g
Saturated	_____ g
Trans	_____ mg
Carbohydrate	_____ g
Sugars	_____ g
Added sugars	_____ g
Fiber	_____ g
Sodium	_____ mg
Additional information**	_____ mg, µg or % NRV

* In accordance with 4.5.2.4.2, this statement must also be made for the total content of the container.

** For vitamins and minerals in case of VNR percentage it should be done per serving.

4.5.3 Supplementary nutrition information

Supplementary nutrition information should be included on the main display panel of prepackaged products that:

- a) contain added: free sugars, fats or sodium; and
- b) the energy value, the amount of free sugars, saturated fat, trans fat and sodium comply with the nutritional profiles established in Table 6.

Table 6. Nutritional profiles for supplementary nutrition information

	Energy	Sugars	Saturated fat	Trans fat	Sodium
Solids in 100 g of product	≥ 275 total kcal	≥ 10 % total energy from free sugars	≥ 10 % total energy from saturated fats	≥ 1 % total energy from trans fats	≥ 1 mg of sodium per calorie or ≥ 300 mg
Liquids in 100 ml of product	≥ 70 total kcal or ≥ 8 kcal from free sugars				Non-calorie beverages: ≥ 45 mg of sodium
Warning labels	Excess calories	Excess sugars	Excess saturated fats	Excess trans fats	Excess sodium

4.5.3.1 For the purposes of the preceding paragraph, it is understood by:

a) prepackaged product added with free sugars, those to which free sugars have been added during the manufacturing process, and ingredients that contain added free sugars.

b) prepackaged product added to fats, those to which vegetable or animal fats, partially hydrogenated vegetable oils or products and ingredients containing them have been added during the manufacturing process; and

c) sodium-added prepackaged product, those to which, during the manufacturing process, any salt containing sodium or any ingredient containing added sodium salts has been used as an ingredient or additive.

4.5.3.2 In products destined to be reconstituted or that require preparation before being consumed, the supplementary nutrition information must be declared according to the energy content, free sugars, saturated fats, trans fats (with the exception of those present in dairy and meat products naturally in the case of trans fats), or sodium from the product as consumed, according to the instructions on the label.

4.5.3.3 The following products are exempt from the supplementary nutrition information:

a) products that are exempted from the nutritional declaration, as established in section 4.5.2.3, except those indicated in section vii;

i. single ingredient products;

ii. herbs, spices or a mixture of them;

iii. coffee extracts, whole or ground coffee beans, decaffeinated or not and not containing added ingredients other than flavorings;

iv. herbal teas, decaffeinated or not, instant and/or soluble tea that do not contain added ingredients;

v. fermented vinegars and substitutes;

vi. water for human consumption and natural mineral water.

b) baby formulas, baby formulas for special nutritional needs, follow-up formulas and follow-up formulas for special nutritional needs;

c) foods and non-alcoholic beverages for infants and young children that have nutritional specifications for any of the following nutrients: fats, sugars and sodium; as established in the applicable legal systems.

d) vegetable oils, vegetable or animal fats; sugar, honey, iodized salt and fluoridated iodized salt, as well as cereal flours.

4.5.3.4 Front-of-package labelling system

The front labeling system includes the supplementary nutrition information and the warning captions described in sections 7.1.3 and 7.1.4.

4.5.3.4.1 Supplementary nutrition information must be made using the labels, as appropriate and in accordance with the provisions of Appendix A (Normative).



4.5.3.4.2 Products whose main display surface is $\leq 40 \text{ cm}^2$ must only include one label with the number that corresponds to the amount of nutrients that meet the profile established in 4.5.3 in a minimum size in accordance with the provisions.

Those products whose main display surface is $\leq 5 \text{ cm}^2$, the label described in the previous paragraph must comply with the characteristics described in numeral A.4.5 of Appendix A (Normative).



4.5.3.4.3 In the case of products in returnable containers used as containers for more than one type of product or flavor, manufacturers must only express on the outside of the lid the label corresponding to the number of the amount of nutrients that They comply with the profile established in 4.5.3 and as established in 4.5.3.4.2.

4.5.3.4.4 Products whose individual presentation indicates the caption "Not labeled for individual sale", or similar, and that are in multiple or collective packaging, only this must include the corresponding label, as established in sections 4.5.3 and 4.5.3.4.1

4.5.3.4.5 Those collective containers that contain more than one type of product must be individually labeled.

Additionally, the collective container must include as many labels as correspond to the products it contains, as established in 4.5.3 of this Norma Oficial Mexicana.

4.5.3.4.6 Location and order of labels

The label (s) must be placed in the upper right corner of the main display surface, as established in Appendix A (Normative). In those products with a main display surface less than 60 cm^2 , the labels may be placed in any area of said surface. When

more than one label must be included, the order of inclusion must be from left to right as follows:

1. EXCESS CALORIES
2. EXCESS SUGARS
3. EXCESS FATS
4. EXCESS TRANS FATS
5. EXCESS SODIUM

4.5.3.4.7 When appropriate, include the warning captions "CONTAINS CAFFEINE AVOID IN CHILDREN" or "CONTAINS SWEETENERS - NOT RECOMMENDED IN CHILDREN", they must be in the upper right part of the main display surface and in case the prepackaged product has labels, must go below them, as established in Appendix A (Normative).

7.1.3 If the list of ingredients includes sweeteners, the front warning caption must be placed in capital letters "**CONTAINS SWEETENERS, NOT RECOMMENDED FOR CHILDREN**".

CONTIENE EDULCORANTES, NO RECOMENDABLE EN NIÑOS

7.1.4. When the prepackaged product contains caffeine added within the list of ingredients in any quantity, the warning caption in capital letters "**CONTAINS CAFFEINE AVOID IN CHILDREN**" must be included, which is part of the front-of-package labeling system, as established in the Appendix A (normative).

CONTIENE CAFÉINA EVITAR EN NIÑOS

TRANSITORY ARTICLES

FIRST. In order to regulate the provisions contained in the decree that amends and adds various provisions of the Norma Oficial Mexicana regarding frontal warning labeling, the texts contained in sections 4.5.3.4 to 4.5.3.4.7 as well as 7.1.3 and 7.1.4 of the amendment to NOM-051-SCFI / SSA1-2010, General labeling specifications for prepackaged food and non-alcoholic beverages, commercial and health information, will enter into force as of October 1, 2020, while the rest of the numerals or subsections of the modification to the aforementioned Norma Oficial Mexicana, will do so on April 1, 2021. The above with the details that are detailed in the following transitory.

SECOND. For the calculation and evaluation of the values and profiles referring to the supplementary nutrition information, THREE different PHASES will be progressively established, the last of which will be verified as of October 1, 2025, namely:

FIRST PHASE. From October 1, 2020 to September 30, 2023 (3 YEARS), the calculation and evaluation of the supplementary nutrition information will be carried out with the following criteria and values:

- 1.- Critical nutrients added to prepackaged food or non-alcoholic beverage:
 - a) If added sugars are added, sugars and calories should be evaluated
 - b) If fats are added, saturated fats, trans fats and calories should be evaluated
 - c) If sodium is added, only sodium should be evaluated.
- 2.- Nutritional Profiles First Phase (supplementary table 1).

It is expressly stated that during the FIRST PHASE the specifications and criteria referred to in section 4.5.3 of the amendment to the Norma will not be in force, nor will the values in Table 6 referring to Nutrient Profiles.

SECOND PHASE. From October 1, 2023 to September 30, 2025 (2 YEARS), the calculation and evaluation of the supplementary nutrition information will be carried out with the following criteria and values:

- 1.- Critical nutrients added to prepackaged food or non-alcoholic beverage:
 - a) If added sugars are added, sugars and calories should be evaluated
 - b) If fats are added, saturated fats, trans fats and calories should be evaluated
 - c) If sodium is added, only sodium should be evaluated.
- 2.- Table 6 of the modification to the Norma relative to Nutritional Profiles (supplementary table 1).

During the SECOND PHASE, the specifications and criteria referred to in section 4.5.3 of the amendment to the Norma will not be in force.

THIRD PHASE. As of October 1, 2025, the calculation and evaluation of the supplementary nutrition information will be carried out fully applying the provisions contained in sections 4.5.3, as well as Table 6 of the modification to the Norma related to Nutritional Profiles.

THIRD. Those responsible for prepackaged products may temporarily use adhesives or adhesive stickers on the main display surface of the products, provided that said adhesives or stickers comply exactly with the provisions contained in sections 4.5.3.4 to 4.5.3.4.7, 7.1.3 and 7.1 .4, as well as the provisions of appendix A (normative). This alternative can only be used until March 31, 2021.

FOURTH. Subsection 4.1.5 will enter into force as of April 1, 2021.

FIFTH. The Procuraduría Federal del Consumidor must issue before October 1, 2020, the Guidelines for the registration and recognition of organizations or professional associations that can issue labels or health claims of recommendation for food and non-alcoholic beverages, and thus comply with the provisions of the subsection 4.1.4.

SIXTH. Within 180 calendar days after its publication in the Diario Oficial de la Federación, the Ministry of Economy and the Ministry of Health will jointly determine, and within the scope of their respective competencies, the appropriate indicators with quantitative or qualitative data that allow evaluating and technically support the results in the implementation of this modification. Each of the three phases referred to in the Second Transitory, must be evaluated separately by applying such indicators from the moment they are concluded, with the understanding that the last one will be carried out with the data obtained as of September 30, 2028.

The results will be disseminated and made public within the six months following the end of each period.

Supplementary table 1. Summary of warning label nutrient criteria and timeline of implementation.

	Energy	Free sugars	Saturated Fat	Trans-fat	Sodium
Phase 1	Foods: ≥275 kcal/100g	≥10 % kcal	≥10 % kcal	≥1 % kcal	Foods: ≥350 mg/100g-ml
	Beverages: ≥70 kcal/100ml or ≥10 kcal/100ml from free sugars	Except for beverages with <10 kcal/100ml			Non-calorie beverages: ≥45 mg/100ml
Differences for Phase 2 and 3	Beverages: ≥8 kcal/100ml from free sugars	The exception no longer applies			Foods: ≥1 mg/kcal or ≥300 mg/100g-ml
<p>This criteria applies to packaged food and non-alcoholic beverages.</p> <p>Phase 1 (Oct 2020 to Sept 2023)* and 2 (Oct 2023 to Sept 2025):</p> <ol style="list-style-type: none"> If the product has added sugars, sugars and energy will be evaluated If the product has added fats, saturated fat, trans fat and calories will be evaluated If the product has added sodium, only sodium will be evaluated. <p>Phase 3 (Oct 2025 onwards):</p> <p>All nutrient criteria will be evaluated if the product has added sugars, added fats or added sodium.</p> <p>* Oct 2020 will start with FOP warning label stickers. On April 2021, warning labels should be printed on the product packing, and if a product has one or more warning labels, the packing cannot include children’s characters, cartoons, celebrities, athletes, pets or games.</p>					