

Mexico City, february 4, 2021.

## **Guidelines for the registry and recognition of organizations or professional associations that are authorized to issue quality seals or recommendations for food and non – alcoholic beverages.**

---

### **Dear customers and friends,**

In compliance with the fifth transitory article of the amendment to the “Mexican Official Standard NOM-051-SCFI/SSA1-2010, General Specifications for the labelling of prepackaged food and non – alcoholic beverages commercial and sanitary information” (“NOM-051”), on January 27, 2021, the Federal Consumer Protection Agency (“PROFECO”) issued the Guidelines for the registry and recognition of organizations or professional associations that are authorized to issue quality seals or recommendations for food and non – alcoholic beverages (“Guidelines”), whose purpose is summarized as follows:

#### **a. General Provisions**

The Registry granted to the organizations or professional associations by PROFECO’s General Directorate of Surveillance will only be granted for each filing of prepackaged products and will be in effect for one year after the date of issue of the registration statement, which can be renewed thirty days before its expiration, without in any way exempting the Guarantors with the compliance of Article 32 of the Federal Consumer Protection Law (“LFPC”), as well as per articles 25, 26 y 27 from its Regulations.

#### **b. Requirements**

In order to obtain the corresponding registry, Guarantors shall file before PROFECO the following documents, both physically and digitally:

- Registry applications, which will be available at PROFECO’s website;
- Original proof of payment of rights;
- Notarized copy of the entity’s articles of incorporation no more than five years old;
- Notarized copy of the power of attorney, of the attorney in fact that starts the procedure before PROFECO;
- Simple copy of the Fiscal Identification and the attorney in fact’s CURP;
- Studies, certifications, awards and authorizations that proof the professional reputation and academic quality of the Guarantor;
- Provide and address, phone number and email in order to receive official documents and notices.

#### **c. Procedure**

Guarantors may file the application in writing at: (i) Federal Consumer Protection Agency offices, (ii) the Citizen Contact office of PROFECO; or, (iii) the National Lab of the Federal Consumer Protection Agency. Such application must be ruled and personally served by PROFECO to the applicant in no longer period of twenty business days. In case that PROFECO doesn’t rule within such deadline, the Guarantor must assume that the application was denied. In case that PROFECO rules that the application lacks the compliance of formal requirements and/or the filing of certain documents, said authority may require the Guarantor in order to comply with the missing documentation and/or formal requirements within a deadline of five business days, in case that the Guarantor fails to comply with the aforementioned, the application will be dismissed.

PROFECO may cancel the Registry at the Guarantors request or if any of the following events occur: (i) Guarantor fails to file its application for renovation in the applicable deadline (thirty days before its expiration); or, (ii) the Guarantor issues quality seals or recommendations violating provisions of the LFPC or its Regulations, in which case a ten day deadline will be granted to the Guarantor in order to express arguments and offer evidence, in order for PROFECO to rule regarding the cancelation of the registry. In such case, the Guarantor would be disable to file for a new application during the next three years. PROFECO's rulings related with the Guidelines may be optionally challenged before PROFECO via an ordinary remedy or through a Federal Contentious-Administrative Trial before the Federal Administrative Justice Court.

Mañón Quintana's team is available to further advise you in any matter arising from the Guidelines.

Sincerely,

**Antonio Mañón**  
antonio.manon@mqsc.mx

**Gerardo Quintana-Pineda**  
gerardo.quintana@mqsc.mx

**Jorge Rosales-Fernandez**  
jorge.rosales@mqsc.mx

**Dario Jandette-Fuentes**  
dario.jandette@mqsc.mx

**Santiago J. Nuñez-Chaim**  
santiago.nunez@mqsc.mx

**Julio J. Copo-Terres**  
julio.copo@mqsc.mx

**Antonio Barrera-Rios**  
antonio.barrera@mqsc.mx

**Gerardo Sanchez**  
gerardo.sanchez@mqsc.mx

**Enock Perez-Arias**  
enock.perez@mqsc.mx

**Beatriz Gonzalez-Alanis**  
beatriz.gonzalez@mqsc.mx

**Paulina Ruiz**  
paulina.ruiz@mqsc.mx

**Sofia Philippe**  
sofia.philippe@mqsc.mx

**Nuria Ledezma**  
nuria.ledezma@mqsc.mx

**Fernando Salinas**  
fernando.salinas@mqsc.mx

**Ilse Salgado**  
ilse.salgado@mqsc.mx

**Bruno Saab**  
bruno.saab@mqsc.mx

**Juan Daniel Martinez**  
daniel.martinez@mqsc.mx

**Frida Salgado**  
frida.salgado@mqsc.mx

**Paulina Martin-Gonzalez**  
paulina.martin@mqsc.mx

**Hugo Oseguera**  
hugo.oseguera@mqsc.mx

**Ciudad de México**

Córdoba 42, Piso 5 - B,  
Roma Norte, 06700,  
Ciudad de México

C. +52 (55) 8438.0000  
D. +52 (55) 8438.0001  
**contacto@mqsc.mx**

**Tijuana**

Misión de San Javier 10643,  
suite 400, piso 4, Zona Río,  
22010, Tijuana, B.C.

C. +52 (664) 615.7150