



IEC System for Conformity Testing and Certification of Electrical Equipment CB Scheme

APPENDIX B (NCB only)

Legal differences

OD-CB 2007

MEMBER NATIONAL CERTIFICATION BODIES (NCBs) INFORMATION SHEETS			
<i>(Use additional forms as necessary.)</i>			
Product categories: HOUS (in the future)			
I	CB Scheme Procedure		
	None		
II	National Regulatory Requirements for Electrical Products within the Scope of IECEE CB Scheme		
		Yes	No
1	Is compliance with standards mandated by law?	X	
	Comments: The LFMN (mexican law for stds.) makes it mandatory.		
2	Is product certification or approval mandatory?	X	
	Comments: Certification is granted by bodies of the private sector.		
3	If approval is mandatory what aspects/characteristics of electrical products require mandatory certification or approval?		
	Electrical safety	X	
	EMC		X
	Hygiene		X
	Energy Efficiency	X	
	Ergonomics		X
	Other (specify):		X
4	Does the certification mark of the NCB provide regulatory recognition at National level?	X	
5	Does the NCB provide certification in all regulated areas listed in item 3 above?	X	



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6	If no, specify the body responsible for such certification or approval:			
	Electrical safety:	ANCE, A.C.		
	EMC:	There is not any mandatory requirement on EMC in México		
	Hygiene:	Secretaría de Salud (Health Ministry)		
	Energy Efficiency:	ANCE, A.C.		
	Other:			
	Comments:	There is a body for each industrial sector: Textile, Tequila, Electrical, Electronic, however, ANCE grants a recognised certification for all electrical products on the issues listed above etc.		
7	Describe the conditions and the processes for obtaining each of the mandatory certifications or approvals in item 3 above, and include a flow chart for each process as necessary. Each description should address as a minimum the following:			
7a	Who can submit the application? Foreign manufacturer from a country with a comercial agreement with México or a Legal Representative in	Foreign manufacturer directly/ foreign manufacturer via representative in a country/ commercial agent/ other NCB/ others		
7b	Language of the application:	Spanish		
7c	Need to have a local representative to place a product on the country's market	Not necessarily. If the customer is located in a country which México has a commercial agreement with, ANCE can grant a certificate directly to the foreign customer.		



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7d	<p>Additional administrative requirements</p> <p>ANCE bases product certification on the DGN policies which (mexican authorities):</p> <ul style="list-style-type: none"> - Certification with Periodical testing, - Certification with verification of the quality system on the production line, - Letter of compliance to national or foreign manufacturer, - Certification on reconstructed products, - Batch certification, - Certification of products out of specifications. 	<p>Samples for re-testing are taken from import lots/ Requirements for product liability insurance registration of the manufacturer with the regulatory agency mandatory periodic re-testing requirements</p>
7e	Can testing/ evaluation be carried out by NCBs in other countries?	Yes, with the relevant MRA between that NCB and ANCE.
7f	Requirements for samples:	Depending on the standard it is one for safety and three for energy efficiency.
7g	Documentation required:	For testing, only the sample and user's manual. For product certification, schematics, catalogues, marking labels, contract, application form, etc.
7h	Language of markings, warnings and instructions	Spanish
7i.	Time needed for processing (?)	For doing testing about 4-5 weeks, for certification 1 week.

POLICIES and procedures for compliance assessment. Certification and verification procedures for products subject to compliance with official Mexican standards under the authority of the Secretariat of Commerce and Industrial Development.

In the margin, a seal with the National Coat of Arms appears with the words: United Mexican States. Secretariat of Commerce and Industrial Development.

The Secretariat of Commerce and Industrial Development, through the General Directorate on Standards and on the basis of article 34, subsections XIII and XXX of the Organic Law on Federal Public Administration; article 73 of the federal Law on Metrology and Standardization; article 9, subsections X and XI, and article 24, subsection VII, XII, XIV and XV, of the By-laws of the Secretariat of Commerce and Industrial Development; and

CONSIDERING

That, in compliance with the provisions in the Federal Law on Metrology and Standardization, it is necessary to establish procedures for compliance assessment when verification of compliance with standards is officially required, following consultations with the sectors involved, through publication in the Official Gazette of the Federation:

That on January 3, 1997, the bill was published in the Official Gazette of the Federation for consultation on the official certification policies and procedures for products subject to official Mexican under the authority of this Secretariat, so that those subject to these policies and procedures, as well as the public at large, could express their opinions and formulate observations on the bill.

That, in order to provide individuals with the conditions of certainty required for the products to comply with the provisions in the official Mexican standards under the authority of this Secretariat and taking into account the comments and observation presented in writing by interested parties within the period of time indicated in the aforementioned bill, the Secretariat of Commerce and industrial Development hereby establishes the following:

**POLICIES AND PROCEDURES FOR COMPLIANCE ASSESSMENT.
CERTIFICATION AND VERIFICATION PROCEDURES FOR PRODUCTS
SUBJECT TO COMPLIANCE WITH OFFICIAL MEXICAN STANDARDS
UNDER AUTHORITY OF THE SECRETARIAT OF COMMERCE AND
INDUSTRIAL DEVELOPMENT**

**CHAPTER I
DEFINITIONS**

ARTICLE 1. For purposes of these provisions, the following terms shall understood as follows:

- I. Law refers to the Federal Law on Metrology and Standardization;
- II. Secretariat refers to the Secretariat of Commerce And Industrial Development;
- III. DGN refers to the Secretariat's General Directorate on Standards;
- IV. NOM refers to the Official Mexican Standards applicable to the product in question;
- V.

Product certification body refers to the accredited and approved body for certifying that products comply with the NOM listed in annex 1. As well as any official Mexican standards the Secretariat may identify as certifiable and publish in the Official Gazzette of the Federation.

VI. System certification body refers to the accredited and approved body for certifying, through a pertinent report, that the quality control system of a product includes verification procedures in accordance with the provisions in the Law.

VII. Verification unit refers to the unit which is accredited in accordance with the Law to conduct sampling or product verification.

VIII. Laboratory refers to the testing or calibration laboratory, as pertinent, in accordance with the Law.

IX. NOM certificates refers to the document through which de DGN or the product certification body certifies that a specific product complies with the specifications established in the NOM. The validity of the certificate is subject to verification.

X. Verification refers to the follow-up to which a product is subject , once an NOM certificate or product ruling has been issued to a national or foreign manufacturer to verify that it continues complying with the NOM. The validity of the certificate or ruling depends on such verification.

XI. Systems certification reports refers to the document prepared by a system certification body to provide the DGN or product certification body with confirmation that the quality control systems for a product in a specific production line includes verification procedures to comply with the NOM as certified.

XII. Ruling on test or report on results refers to the document issued by a celebration or testing laboratory to the DGN or production certification body with results obtained from the test conducted on a product, in accordance with the procedures established in the NOM.

This ruling or report must have been issued within a maximum of ninety calendar days prior to the date on which the interested party submits an application for certification (annex 10) to the DGN or certification bodies.

XIII. Sampling refers to the procedure through which diverse units of a product lot are selected in accordance with Mexican Standard NMX-Z12-1987, "Sampling for Inspection by Characteristic."

XIV. Family of products refers to a group of products of the same type in which the variations are of an esthetic nature or in appearance, but maintain the design characteristics that insure compliance with the pertinent NOM, in accordance with the criteria indicated in annex 3.

CHAPTER II GENERAL PROVISIONS

ARTICLE 2. NOM certificates may be obtained from DGN or the producer certification bodies. In areas and sectors where there is a product certification body, certification will be made exclusively through that body. A list of product certification bodies with accreditation valid on the date of publication of these procedures appears as annex 2.

ARTICLE 3. To obtain a NOM certificate form the DGN, the instructions listed below should be followed:

I. The interested party shall request an information packet from the DGN information module or in the delegations or subdelegations of the Secretariat. The packets will

contain an application form (annex 10), a list of documents required, and a complete list of the laboratories and verification units accredited for the NOM in question.

- II. The interested part shall fill out the original application form and accompany it with the documents indicated in annex 4, in addition to the following documents:
 - a) Original receipt for payment of fees for the related service, in terms of the federal Law on fees, and
 - b) Copy of the Federal Taxpayer's Registration Credential.
- III. The interested party shall deliver the original application form and the documents

indicated, in accordance with the type of certification chosen, to the administrative official's office of the DGN or in the delegations or subdelegations of the Secretariat, or he may send them by certified mail or messenger service to the DGN when the individual has previously paid the fee for the service.

- IV. The DGN shall examine the documents presented and, if it detects any errors in them, it shall return the application and attachments to the interested party, together with a document clearly indicating the error that the applicant should correct, in accordance with the provisions in the Federal Law on Administrative Procedure.
- V. Processing new product certification in the DGN shall take seven working days and, in the case of articles that are rebuilt, used, second hand, seconds, discontinued or outside specifications, it shall take twenty working days, both counted from the working day following the date on which the DGN or the federal delegation of the Secretariat receives the related documents and, when pertinent, any errors indicated to the individuals have been corrected.

If a response is not issued by the DGN in that period of time, it shall be understood that the application was rejected.

ARTICLE 4. To obtain an NOM certificate from a product certification body, the instructions listed below should be followed:

- I. The interested party shall request the NOM certification application from the pertinent body.
- II. The pertinent body shall provide the interested party with an information packet that contains the application form, the list of documents required in accordance with annex 4, as well as a complete list of the laboratories and verification unit accredited for the NOM in question.
- III. The interested party shall submit an original applications form duly filled out and the contract for providing certification services with the certification body, signed on the original and a copy.
- IV. The interested party shall hand in original documents with all the information to the accredited product certification body, which will examine the documents the documents submitted. If any error in the documents is found, it will return the application and its attachments to the interested party, together with a document clearly indicating the error that the applicant should correct.
- V. A response to the certification application shall be issued within a maximum period of seven working days for new products and, in the case of articles that are rebuilt, used, second hand, seconds, discontinued and outside specifications, within twenty working days, both counted as of the working day following the date on which the application form and related annexes are received and, when pertinent, when the errors indicated to the individuals have been corrected.

The certification bodies shall continuously keep the DGN informed on the NOM certificates and rulings issued for national and foreign manufacturers, as well as on the verifications they conduct.

ARTICLE 5. The product calibration on test applications submitted to laboratories, as well as certification applications submitted to the DGN or product certification bodies, shall be accompanied by a sworn statement in which the applicant states that the product is new, rebuilt, used, second hand, a second, discontinued or outside specifications, in accordance with the provisions in NOM-017-SCFI-1993. The rulings on test or reports on results issued by the laboratories and the certificates issued by the DGN or the product certification bodies shall also explicitly indicate which of the aforementioned categories the product tested or certified belongs to.

ARTICLE 6. The NOM certificates shall be granted only to the national manufacturers or to importers or marketers of products, and may not be transferred, except under the provisions of article 8, paragraph V, of these policies.

ARTICLE 7. The validity of NOM certificates and of product rulings for national and foreign manufacturers shall be for one year beginning on the date they are issued, which is subject to related verification in the terms of chapter IV of this instrument, except in the following cases:

- I. When certification with verification is granted through the production line quality system, the certificate shall be valid for 2 years.
- II. For products that appear in annex 8, the validity shall be that indicated in the annex.

CHAPTER III

PROCEDURES AND TYPES OF CERTIFICATION

ARTICLE 8. The procedures for NOM certification and verification mentioned in annex 1 shall be conducted in the terms of the specific criteria applicable to each NOM that appears in annex 3. The interested party may obtain the NOM certificate, in accordance with the following categories:

- I. With verification of the product through periodic test;
- II. With verification through the production line quality systems;
- III. By ruling on the product for national and foreign manufacturers;
- IV. For products that have guarantee of origin and quality;
- V. Simplified certificate of NOM compliance for border zones or regions;
- VI. Rebuilt articles;
- VII. Articles that are used or second hand, seconds or discontinued; and
- VIII. Articles outside specifications.

ARTICLE 9. To obtain a certificate with verification through periodic product test from the DGN and product certification bodies, the following documents should be submitted:

- a) Original ruling on tests or reports on results, and
- b) Documents with the technical information required, in accordance with the provisions in annex 4.

ARTICLE 10. To obtain a certificate with verification through the production line quality system, the following documents should be presented to the DGN or product certification body:

- a) Copy of the quality system certificate in which the production line is included, issued by a systems certification body;
- b) Original systems certification report on the verification procedures, which must have been issued no longer than ninety calendar days prior to the date on which the interested party presents the application for certification;
- c) Original ruling on tests or report on results, and

d) Documents with the technical information required, in accordance with the provisions in annex 4.

ARTICLE 11. The NOM certificate by ruling on the product may be issued for products that are subject to compliance with the NOM indicated in annex 1 and are going to be distributed, marketed or imported in national territory by more than one distributor, business or importer, but are produced by the same national or foreign manufacturer; the distributor, business or importer may choose:

A. To obtain the NOM certificate in accordance with articles 9 and 10 of this document, or

B. To obtain a NOM certificate by ruling on the product for the national or foreign manufacturer by the DGN or the product certification bodies, in accordance with the following procedures:

1. The interested party should present the application form provided for in annex 5, together with the following documents;

a) A copy of the product ruling for the national or foreign manufacturer, as referred to in point 2 of this article, for the product whose certification is being applied for, and

b) The original letter issued by the national or foreign manufacturer, which has the aforementioned ruling, in accordance with annex 6.

2. To obtain the product ruling for the national or foreign manufacturer, said manufacturer or any other interested party should present the pertinent application in accordance with the provisions in annex 7, together with the following documents:

a) A copy of the certificate in force from the quality control system of the production line issued by the systems certification body.

If there is more than one manufacturer for the same product, the manufacturer must have at least one certificate in force for the quality control systems of one of them, and present the certification plans of the others within two years, at the latest.

b) Original ruling on tests or report of results for the samples required by the official manufacturer from the warehouse supply of the finished product.

c) Documents with the technical information required, in accordance with the provisions of annex 4, and

d) A certified copy of the articles of incorporation of the national or foreign manufacturer, or an equivalent document. If the document is in a language other than Spanish, it should be accompanied by a translation into Spanish.

e) A sworn statement by the manufacturer that the samples selected for the ruling on tests are representative of the production line.

ARTICLE 12. In the case of products that have a guarantee of origin and quality and are subject to compliance with NOM, which are listed in annex 9, the following measures shall apply:

a) The certification procedures that appear in appendix A of annex 9 shall be fulfilled;

b) The annual certification referred to in the previous point shall be subject to ongoing in situ verification specifically in the product manufacturing and/or packing plant, in accordance with the procedure indicated in the previous point. The verification referred to in this point shall, when pertinent, be used to cancel the related certificate and withdraw the verification approval being processed.

c) When a product export certificate is required, it shall be issued by lot through the procedure provided for in appendix a of annex 9.

ARTICLE 13. The companies in the registry provided for in the Decree through which the tariff scheme for transition to the general commercial system of the country was established for businesses, restaurants, hotels and certain services located in the northern border zone; in

the miscellaneous item through which the tariff scheme for the transition to the general commercial system of the country was established for businesses, restaurants, hotels and certain services located in the northern border zone; or in the miscellaneous item through which the tariff scheme for transition to the general commercial system of the country was established for industry, construction, fisheries and repair and maintenance shops located in the border region, all of which were published in the **Official Gazette of the Federation** on December 29, 1995, may choose to obtain the simplified certificate for NOM, compliance in the terms of the procedures established by the DGN. The products introduced to the border zone or region with the above-mentioned simplified certificate may not, in any case, be shipped to the rest of the country.

ARTICLE 14. For the certification of rebuilt products, the interested party shall fulfill the following requirements:

- a) Original ruling on test or report on results;
- b) A rebuilding manual on the products in question, which should be attached to the application for approval by the DGN or by a product certification body; when the same company presents several applications for the same product, delivery of the manual will only be required once;
- c) Letter from the rebuilding plant in which it provides a sworn statement that it rebuilt the product models for which certification is being applied;
- d) Documents with the technical information required, in accordance with the provisions in annex 4; and
- e) Compliance with verification of the product certification referred to in article 21 of this document.

ARTICLE 15. For the certification of products that are used, second hand, seconds or discontinued, or rebuilt products that do not fulfill points b) and d) of the previous article, certification shall be by lot. If the certificate is issued, it should indicate the brand, model, serial numbers or other individual identification data of the merchandise covered by the certified lot.

These products shall also be subject to the sampling and verification of product certification referred to in chapter IV of this document.

ARTICLE 16. For the certification of products outside specifications, each and every one of the products to be certified shall be submitted to laboratory testing. If the certificate is issued, it shall indicate the brand, model, serial number or other individual identification data of the certified merchandise outside specifications.

ARTICLE 17. The products referred to in articles 14, 15 and 16 shall comply with the provisions established in NOM-017-SCFI-1993, commercial information and labeling of articles that are rebuilt, used and second hand, seconds discontinued, or outside specifications.

ARTICLE 18. Expanded coverage of NOM certificates shall be issued separately in cases to expand coverage regarding the countries of origin or source and/or models of the products indicated in the certificate that belong to the same family, in accordance with the criteria indicated in annex 3.

To obtain expanded coverage of the NOM certificate, the following documents should be presented:

- a) Copy of the NOM certificate for which expanded coverage is desired.
- b) Sworn statement by the applicant indicating the countries of origin and source to which he wishes to expand the coverage of the NOM, certificate and/or a sworn statement in which the manufacturer indicates the models that form a family, their differences, the representative model of the production line, and their justification.

- c) Expanded coverage shall only be granted for countries and for models that demonstrate they belong to the same family.

CHAPTER IV SAMPLING AND VERIFICATION

ARTICLE 19. To obtain any of the NOM certificates referred to, as well as the respective verification, a ruling on tests or report on results should be attached indicating the type or other applicable reference, depending on the NOM in question.

The sampling shall be subject to the following procedure:

- a) It may be conducted by a verification unit designated by the DGN or by the certification body, as pertinent;
- b) The samples shall be presented to the laboratory selected by the applicant or, when pertinent, by the holder of the related certificate for the tests established by the DGN to be conducted;
- c) Once the laboratory has issued a ruling on test or report on results, it shall be sent to the DGN or to the pertinent production certification body, together with a document in which the verification unit that conducted the sampling provides a sworn statement describing the procedure used to select the samples

In spite of the provisions in the above point, the DGN or the production certification body, as pertinent, may at any time verify that the samples selection was taken correctly.

In the case of the certification of products that are used or second hand, seconds or discontinued, or that are rebuilt but do not fulfill the provisions in points b) and d) of article 14, the sampling shall be by lot through the verification unit or product certification body, as pertinent, in accordance with the sampling procedures established in Mexican Standard NMX-Z-12 in force.

ARTICLE 20. Nom certificates and product rulings for national or foreign manufacturers shall be subject to verification by the DGN or the product certification body, as pertinent, through product sampling, which shall be carried out under the terms of the Law.

Such verification shall be annual, programmed randomly or by random selection of companies, and it shall be conducted at the expense of the interested party.

The annual verification, programmed randomly or by random selection of companies, of the product rulings for foreign manufacturers and certificates obtained on the basis of them, shall be conducted on products located in the importers warehouses or at their point of marketing in national territory.

ARTICLE 21. The randomly programmed annual verification, in turn, may be:

1. Through sampling:

Once a year for products that are new, rebuilt, used or second hand, seconds or discontinued.

2. Through certification of the production line quality system, conducted by systems certification bodies, in accordance with the following specifications:

The DGN or the product certification body that issued the NOM certificate shall verify that during the time the NOM certificate is in force, the company also has a production line quality system certificate issued by a systems certification body, in accordance with the provisions in this document.

ARTICLE 22. Verification by random selection of companies may be applied in addition to the randomly programmed annual verification, and may be:

1. Through sampling, or

2. Through certification of the production line quality systems, conducted by a systems certification body, in accordance with point 2 of the previous article.

The products that appear in annex 8 shall be subject to the requirements indicated in that annex to verify the certifications granted.

ARTICLE 23. The laboratory tests conducted on the certified product during related verification shall be taken into account by the DGN or by the certification body, as relevant, for canceling the NOM certificate and/or the product ruling for national and foreign manufacturers when pertinent.

ARTICLE 24. In cases where verification results are negative or when verification cannot be conducted for cases attributable to the interested party, DGN or pertinent certification body shall immediately inform the competent authorities and the head of the DGN of the suspension or cancellation of the NOM certificate, without prejudice to any sanctions that may apply.

TRANSITORY ARTICLES

FIRST. This instrument shall enter into force thirty working days following its publication in the Official Gazette of the federation.

SECOND. Upon entry into force of the present instruments, the Notification on official certification policy on products subject to compliance with official Mexican norms, published on June 14, 1994, in the Official Gazette of the Federation, shall be null and void, as well as any other provisions incompatible with the present procedures.

THIRD. The certificates, rulings and other documents issued prior to the entry into force of the present instrument shall remain valid in the terms indicated in them or, otherwise, shall remain valid for one year following the date on which they were issued. Effective Suffrage, No Reelection.

Mexico City, October 2, 1997. General Director of standards. Carmen Quintanilla Madero.

Signature.

Diagram 1 list all the opinions available to Mexican manufacturers. This diagram includes the references to the specific articles in the procedures published in the Diario Oficial. This diagram can be compared to Diagram 4 for a comparison of the options available to foreign manufacturers. The diagram includes the option of each distributor and retailer obtaining a NOM certificate based upon a dictamen de producto. This corresponds to the requirements for an importer to obtain a NOM certificate.

Diagram 2 shows the two options that I believe will be used by Mexican manufacturers.

Additionally, it is my assessment almost all Mexican manufacturers will use the option of article 9, product testing, to obtain the NOM certificate.

Diagram 3 is a statement of the requirements that the Mexican manufacturers must meet in order to obtain the NOM certificate using the most viable options available.

Diagram 4 indicates the options available to foreign manufacturers. The format of the diagram is the same as for Diagram 1 for case of comparison.

The format of Diagram 5 is slightly different from Diagram 4 to facilitate the presentation of the procedures to foreign manufacturers. The options are the same as indicated in Diagram 4.

Diagram 6 is a statement of the requirements that a foreign manufacturer must meet in order to obtain the dictamen de producto (document stating that Art. 11.2 requirements were satisfied) and the requirements for the importers to get the NOM certificate.