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Mexico

Solid Wood Products

Mexico Announces Final Standard on New Sawn Lumber (NOM-016-SEMARNAT-2003)

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Report Highlights:

On July 25, 2003, the Secretariat for the Environment and Natural Resources (SEMARNAT) published in the *Diario Oficial* (Mexico's "Federal Register") the final standard for new imported lumber. Based on a preliminary analysis, it appears SEMARNAT has eliminated the onerous phytosanitary requirement that would have impeded U.S. exports when it published NOM-016 as a proposed rule.

Includes PSD Changes: No
Includes Trade Matrix: No
Unscheduled Report
Mexico [MX1]
[MX]

Introduction: This report summarizes an official standard (“Norma Oficial”) published in Mexico’s “*Diario Oficial*” (Federal Register) on July 25, 2003.

Disclaimer: This summary is based on a *cursory* review of the subject announcement and therefore should not, under any circumstances, be viewed as a definitive reading of the regulation in question, or of its implications for U.S. agricultural export trade interests. In the event of a discrepancy or discrepancies between this summary and the complete regulation or announcement as published in Spanish, the latter shall prevail.

FAS/Mexico’s Executive Summary: On July 25, 2003, the Secretariat for the Environment and Natural Resources (SEMARNAT) published in the *Diario Oficial* (Mexico’s “Federal Register”) the final standard for new imported lumber. Based on a preliminary analysis, it appears SEMARNAT has eliminated the onerous phytosanitary requirement that would have impeded U.S. exports when it published NOM-016 as a proposed rule. A preliminary analysis of the SEMARNAT standard revealed that it addressed those comments submitted by USDA and, to a large extent, agreed with most of them (see MX 8061, MX 0154 and MX 3090).

Title: Official Mexican Standard NOM-016-SEMARNAT-2003, on sanitary regulations for the importation of new sawn lumber

Type of Rule: Final

Products affected: New lumber and wood to be imported temporarily or permanently into Mexico.

Important Dates

1. Publication Date: July 25, 2003

2. Effective Date: July 26, 2003

Additional information:

4. Specifications

4.1 New lumber and wood to be imported into Mexico needs to comply with the following regulations and inspections procedures:

Air-dried wood:

Lumber and wood should not have any bark and should be free of pests and diseases. At least two percent of the shipment should be inspected for moisture content and the inspection should be performed at three levels in the shipment.

Oven dried wood and lumber:

Lumber and wood should be free of pests and diseases. A document issued by the company that made the kiln dried process should be delivered to the official personnel

- 4.1.1. The quarantined pests are:
Lymantria dispar,
Coptotermes formosanus,
Lyctus (except Lyctus carebeanus, L. brunneus, L. linearis, L. planicollis and L. villosus)
Minthea spp (except Minthea rugicollis).
- 4.2.1. Procedure for temporary and definitive consumption of air-seasoned new sawn wood with a moisture percentage less than or equal to 20 percent:
- 4.2.1. The official personnel shall receive and review, except for new lumber and wood originated or coming from the United States, appropriate documentation:

A) International Phytosanitary Certificate extended by the official agriculture authorities of the exporting country, specifying the wood's moisture content, which should be equal to or less than 20% and should also indicate that the product was inspected and it is free of quarantined pests and diseases, as well as the treatment at the origin.

B) For new lumber and air-dried wood coming or originating from the United States, exporters should present a certificate specifying that the product received a treatment in the origin against pests and diseases.

When the shipment doesn't meet the requirements mentioned in the previous paragraph, the treatment can be applied at the point of entry and it should be charged to the owner or the importer.

- 4.2.2. The product will be verified at the border by official personnel, the certification organization or verification unit, according to the technical appendix attached to this Standard.
- 4.2.3. If the air-seasoned new sawn wood contains a moisture percentage less than or equal to 20 percent, and meets the specifications of Item 4.2.1, official personnel, the certification agency or the verification unit will extend the Importation Phytosanitary Certificate and will return to the importer and/or customs broker or representative the original documentation so that they may continue with the appropriate proceedings.
- 4.2.4. If during the ocular inspection, damages are detected or pests are found, the official personnel will take samples of the product, which will be sent, in a period not longer than 24 hours, to the General Directorate of Forestry Management and Soils to give an opinion about the shipment. This opinion will be issued in a period of 48 hours after the samples have been received and the General Directorate of Forestry Management and Soils will act based on the Procedures Manual, on the understanding that the expense of such procedures will be paid by the owner or importer.
- 4.2.5. The opinion issued by the General Directorate of Forestry Management and Soils will decide the phyto-sanitary measures (if the product shall be returned or destroyed). Moreover, vehicles and storage places will be fumigated, on the understanding that the expense of such procedures will be paid by the owner or importer.

The Secretariat, through official personnel, will make a detailed record with an original and three copies, providing a copy to the importers, customs brokers or representative.

- 4.3. Procedure for the temporary and final importation of kiln dried new sawn lumber.
 - 4.3.1. Official personnel will receive and review, except the kiln dried new sawn lumber originated or coming from the United States, the appropriate documentation:
 - A) International Phytosanitary Certificate, specifying that the lumber has been inspected and it is free of quarantined pests and practically free of other diseases, or the certificate should indicate that the lumber was dried in a kiln.
 - 4.3.2. For the kiln dried new sawn lumber originated or coming from the United States and Canada, exporter should present a certificate specifying that the lumber was dried in a kiln.
 - 4.3.3. The product shall be inspected at the border by official personnel, the certification agency or verification unit, according to the technical appendix attached hereto.
 - 4.3.4. If the kiln dried new sawn lumber meets the specifications of Item 4.3.1 and 4.3.2 the official personnel, certification agency or verification unit will extend the Importation Phytosanitary Certificate and will return to the importer and/or customs brokers or representative, the original documentation so that they may follow the appropriate procedures.
- 4.4. Procedure for temporary and definitive importation of new sawn lumber with moisture content greater than 20%.
 - 4.4.1. Official personnel will receive and review the appropriate documentation:
 - A) International Phytosanitary Certificate extended by the official agriculture authorities of the exporting country, indicating the type of treatment applied to the lumber, the type of chemicals used, dose and date of application, and a statement that the product was inspected and is free of quarantined pests and practically free of other diseases and pests.
 - B) For air-dried wood coming or originated from the United States, the treatment could alternatively be applied at the point of entry, and it should be charged to the owner or the importer.
 - 4.4.2. The product will be inspected at the border by official personnel, certification agencies or verification units, according to the technical appendix attached to this Standard.
 - 4.4.3. If the air-seasoned new sawn lumber contains greater than 20% moisture, fulfills the specifications of item 4.4.1 and is free of pests, the official personnel of the certification agency or verification unit will extend the Importation Phytosanitary Certificate, and will return to the importer and/or customs broker or representative, the original documentation so that they may continue the appropriate arrangements.
 - 4.4.4. If during the ocular inspection damages are detected or pests are found, the official personnel will take samples of the product, which will be sent, in a period not longer than 24 hours, to the General Directorate of Forestry Management and Soils to give an opinion about the shipment. This opinion will be issued in a period of 48 hours after the samples have been received and the General Directorate of Forestry Management and Soils will act based on the Procedures Manual, on the

understanding that the expense of such procedures will be paid by the owner or importer.

- 4.4.5. The opinion issued by the General Directorate of Forestry Management and Soils will decide the phyto-sanitary measures (if the product shall be returned or destroyed). Moreover, vehicles and storage places will be fumigated, on the understanding that the expense of such procedures will be paid by the owner or importer.

The Secretariat, through official personnel, will make a detailed record with an original and three copies, providing a copy to the importers, customs brokers or representative.

- 4.4.6 The Secretariat may verify or inspect the forestry products and byproducts that have a phytosanitary certificate, with the purpose of verifying compliance with phytosanitary requirements set forth in this standard, and has powers to suspend or revoke at any time and place and with no liability whatsoever, the phytosanitary certificates extended, and to apply the necessary phytosanitary measures when the existence of any phytosanitary risk is detected.

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FAS Mexico Web Site: We are available at <http://www.fas-la.com/mexico> or visit our headquarter's home page at <http://www.fas.usda.gov> for a complete selection of FAS' worldwide agricultural reporting.

Useful Mexican Web Sites: Mexico's equivalent of the Department of Agriculture (SAGARPA) can be found at www.sagarpa.gob.mx and Mexico's equivalent of the Department of Commerce (SE) can be found at www.se.gob.mx These web sites are mentioned for the readers' convenience but USDA does NOT in any way endorse, guarantee the accuracy of, or necessarily concur with the information contained on the mentioned sites.