

National Considerations for the Preparation and Application of Conformity Assessment Procedures

**Conformity assessment procedures
implemented by local and non-
governmental bodies**

- Rafael Nava, President,
- Council of Standardization and Conformity Assessment, Mexico



Legal basis in Mexico

In Mexico a Federal Law was introduced in 1992 and a substantial review was made in 1997.

In it, a full description of factors was written:

Metrology; Standardization (NMX= voluntary standards):

Technical Regulations (NOM, =mandatory standards);

Test laboratories; calibration laboratories;

Inspection bodies;

Standards Development Organizations;

Product, Quality and Environment Certifiers;

Who can accredit them.

When and how to perform the compliance.



- In regards of the voluntary standards, the incumbent bodies perform the overview activities.
- Industry in general use the standards as a tool, a common language.



- In Mexico most of the voluntary standards are really voluntary, and being the responsibility laws for damages produced because of a defective product, very weak, so the conformity assessment is encouraged
- Maximum penalties are in the range of 400,000 euros, the consequential damages are practically zero, then prevention is very important.



Globalization

- The manufacturer in a exporting country has to learn how to comply with the importer requirement, in a lot of cases, in doing this, the acquired technology and other product characteristics learned can be applied to the local production, so the local consumer also can enjoyed all the improvements.



- Some times for the exporter is impossible or too expensive to demonstrate compliance, and then they are out of those markets.
- Sometimes there is not the capability to distinguished the legitimate interest of a non tariff barrier.
- Being Mexico a wide open market, (we have free trade agreements with 43 countries); Import tariffs zero or tending towards it.
- We have had to suffer, learn and apply the Conformity assessment procedures, based in international practices.



North America Region

- Mexico, USA and Canada have been working (even before NAFTA) in harmonizing electro technical standards, and there are some other working groups in steel and the automotive industry, which have helped to increase the flow of product and services both ways within the 3 countries. Actually there is another initiative called in Spanish ASPAN to enhance even more those efforts and adding more sectors in the program.



Latin America Region

- Mexico have been working internationally looking for American countries integration through several free trade agreements as: G-3 with Colombia and Venezuela; north triangle: Guatemala, Honduras, Salvador; plus: Nicaragua, Costa Rica, Chile; Bolivia.
- Nowadays some negotiations are under study: Panama, Ecuador and Peru to integrate them to G-3; and some talks with Mercosur; also Korea. In all of them there is a "chapter" regarding standards and technical regulations; local value content and rules of origin.
- Also working in COPANT trying to harmonize standards,



- Mexican industry is a believer of the mutual recognition agreements approach, for the conformity assessment issues, a lot of opportunities still awaits for action



Accreditation

- Each country in America has their own procedures, but basically all of them follow ISO or IEC rules, we think a common accreditation system (IAAC for example) could help to gain confidence in CA bodies. In the IEC there are at least 3 schemes to help the recognition of test results within a lot of countries with excellent and every year better results



- Regional approach facilitates the knowledge of needs because of the natural similarities. However to have better results, the international standards, in order to have global relevance, should consider the essential differences based in the local weather, infrastructure or energy requirements.



- After eight years of the last change in the law, 10 product certifiers and more than 30 systems certifiers (ISO 9000, 14000 and the like) have been accredited.
- Several MRA are in place



- Mexico bought 222 billion dollars in 2005 of products and services with a minimum amount of troubles for suppliers, the system is working with the help of the MRA in place.
- DATA:
- There are 800 NOM “Technical regulations”, but only 6% of them are mandatory before entering to the country, covering less than 25% of the imports, mainly Product safety; Health and Environment protection and Energy Efficiency in other words 75% or over 165 billion dollars get into Mexico without any conformity assessment requirement.



Thank you very much
GRACIAS POR SU ATENCIÓN