



entidad mexicana
de acreditación, a.c.

ACREDITACIÓN: SINÓNIMO DE CONFIANZA
Y COMPETENCIA TÉCNICA

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Accreditation body signatory to International Laboratory Accreditation Cooperation (ILAC).
Present.

As you may be aware, Mexico has recently taken major structural actions to open up the energy sector. This has involved important constitutional and legal reforms, many of which would be reflected in several technical regulations (in Mexico called *Normas Oficiales Mexicanas* or NOM's, i.e. Mexican Official Standards) that would apply to products and participants in the energy sector.

In this context, and to address such openness, the government of Mexico has decided to facilitate compliance with the technical regulations (NOM's) in the energy sector through the acceptance of test results contained in the aforementioned NOM's, issued by foreign laboratories. To do so, competent authorities have recognized the importance of mutual or multilateral recognition agreements amongst accreditation bodies worldwide, that reflect confidence in the technical competence and expertise of Testing Laboratories that carrying out the tests outlined in the NOM's, as long as both accreditors and laboratories comply with the applicable international standards or guidelines.

Due to the above, on April 1st, 2016, amendments to an Agreement by which the Ministry of Economy issues diverse rules and general criteria regarding foreign trade¹ were published in the Official Gazette, regarding Annex 2.4.1 which identifies the tariff items for goods that are subject to compliance with the NOM's, in order to give legal certainty to importers and customs authorities.

Such amendments to the Agreement, establish the procedure to prove compliance with the NOM-EM-005-CRE-2015 (Quality specifications of oil products)² including the acceptance of test results issued by foreign laboratories as long as they are registered with the Directorate General of Standards of the Ministry of Economy in Mexico³ in accordance with a notice for laboratories to be registered ("*Convocatoria*"⁴) issued by the Directorate General of Standards based on the applicable mutual recognition agreements in force.

¹ ACUERDO que modifica al diverso por el que la Secretaría de Economía emite reglas y criterios de carácter general en materia de Comercio Exterior.

Full text document in Spanish: http://dof.gob.mx/nota_detalle.php?codigo=5431677&fecha=01/04/2016

² Which is applicable to gasoline, jet A-1 fuel, diesel automotive, agricultural and marine diesel, industrial diesel, fuel oil, heating oil, aviation gasoline, gasoline initial filling, intermediate fuel oil and liquefied petroleum gas. Published in the Official Gazette October 30th, 2015 and amended on January 20, 2016.

³ Full text in Spanish: <http://www.snice.gob.mx/portalSiicex/normasgasolina/registro.htm>

⁴ "CONVOCATORIA PARA OBTENER EL REGISTRO PARA OPERAR COMO LABORATORIOS DE ENSAYO Y/O PRUEBA PARA EVALUAR LA CONFORMIDAD DE LA NORMA OFICIAL MEXICANA DE EMERGENCIA NOM-EM-005-CRE-2015, ESPECIFICACIONES DE CALIDAD DE LOS PETROLÍFEROS, PUBLICADA EN EL DIARIO OFICIAL DE LA FEDERACIÓN EL 30 DE OCTUBRE DE 2015, MODIFICADA MEDIANTE RESOLUCIÓN PUBLICADA EN EL MISMO ÓRGANO INFORMATIVO EL 20 DE ENERO DE 2016."

Full text document in Spanish: <http://www.snice.gob.mx/portalSiicex/normasgasolina/Archivos/convocatoria.pdf>



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Such notice contains, among others, the following requirements:

The interested Testing Laboratories should present an application for registration in writing to the Directorate General of Standards, accompanied by the relevant documentation supporting compliance with the following:

- a) That the laboratory is accredited by an accreditation body signatory to the Mutual Recognition Agreement of Testing Laboratories under the International Laboratory Accreditation Cooperation (ILAC), the Asia-Pacific Laboratory Accreditation Cooperation (APLAC), or the Inter American Accreditation Cooperation (IAAC).
- b) That the said accreditation is referred to standard NMX-EC-17025-IMNC-2006, consistent with ISO-IEC-17025:2005 "General requirements for the competence of testing and calibration laboratories", in force.
- c) That the laboratory has the technical scope regarding test methods (ASTM) listed in NOM-EM-005-CRE-2015 issued by the Energy Regulatory Commission, which may be verified by the Mexican Accreditation Entity (EMA) at the request of the Directorate General of Standards of Ministry of Economy in accordance with applicable regulations or standards.

EMA believes it is important that, through this Cooperation, the intention of the Mexican government of such acceptance of test results could be disclosed to the signatories of the ARM of such Cooperation, so that the accredited laboratories on the applicable tests can be prepared.

Therefore, hereby I would seek the support of such Cooperation to spread among the signatories of the Mutual Recognition Agreements (MRA) for Testing Laboratories, the decision of the Mexican authorities to recognize test results for the importation of oil products, issued by Testing Laboratories accredited by Accreditation Bodies signatories of such Agreements, in order to anticipate potentially interested parties and to have the necessary technical infrastructure for the compliance of such regulations resulting from the significant energy reform that we are facing.

I will inform such Cooperation of any further information related to this matter and do not hesitate to contact me for any clarification you may require.

I kindly appreciate the dissemination of this communication and I take this opportunity to send you a cordial greeting.

Sincerely,

Maribel López Martínez
Executive Director, Entidad Mexicana de Acreditación (EMA)