Complying with Mexico's New Front-of-Package & Nutrition Labeling Regulations

Presented by ESHA Research & Thrive4Life USA

Wednesday, December 9, 2020
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ESHA Research

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- Genesis R&D® Supplement Formulation
- Food Processor® Nutrition & Diet Analysis
- Consulting Services

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www.thrive4lifeusa.com

Rosemarie Sunderland
President and Principal Consultant - Thrive4Life
Certified Food Scientist
Rosemarie is a well regarded global regulatory expert in the Food, Cosmetic, and Drug Industry specializing in Product Labeling and Product Development.
Rosemarie is thoroughly knowledgeable in both US and international labeling and regulatory requirements
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✓ Submit your questions in the GoToWebinar control panel
✓ We’ll email a copy of the recording and the slides following the webinar
What we’ll cover today

• Mexico Labeling Compliance Dates
• Front-of-Package
  • Warning Seals
  • Warning Statements
• Nutrition Facts Label Changes
• Ingredient Statement
• Allergen Statement
• Changes in Genesis R&D
• Q&A
Implementation Dates

Mexico made several amendments to its food labeling regulations (Norma Oficial Mexicana NOM-051-SCFI/SSA1-2010). These regulations became final on March 27, 2020, and will be rolled out in three implementation phases:

• Phase 1 — Oct. 1, 2020* – Sept. 30, 2023
• Phase 2 — Oct. 1, 2023 – Sept. 30, 2025
• Phase 3 — On and after Oct. 1, 2025

*Note: Due to the short implementation timeline for manufacturers to use existing inventory, the enforcement date has been delayed to Nov. 30, 2020.
Overview of Changes

• Updated Front-of-Package Warning Seals (replacing current icons)
• New Front-of-Package Warning Statements
• Advertising Prohibitions for Products that Bear the Warning Seals and/or Warning Statements
• Updates to the Nutrition Facts Label Format
• Updates to Mandatory Nutrients and Energy Calculation
• Changes to How Sugars Are Displayed in the Ingredient List
• Changes to the Statement of Identity Declaration for Imitation Products.
• Updated List of Allergens and Added Requirement for “May Contain” Statement
Phase 1 - Overview

Implementation Timeline for Front-of-Package Labeling

• Starting Oct. 1, 2020, manufacturers must include the new Front-of-Package (FOP) warning seals and warning statements on all product packaging (some exemptions apply).
  • The seals and statements can be temporarily affixed to the package as stickers until March 30, 2021.

• From Oct. 1, 2020, through March 31, 2021, packages may show existing Nutrition Facts and FOP guidelines as long as they also include the new FOP warning symbols and warning statements.
Exemptions

• Bulk food and beverage products
• Food and non-alcoholic beverages packaged at the point of sale
• Pre-packaged foods and non-alcoholic beverages subject to other labeling standards
• Other products determined by the competent authority
Phase 1 - Overview

Implementation Timeline for the Nutrition Facts Label

As of April 1, 2021, changes to Nutrition Facts labels, ingredient and allergen statements, statement of identity, and the FOP symbols and statements must be implemented on all packaging.

Additionally, advertising prohibited due to the package bearing Warning Symbols or Warning Statements must be removed. This includes the use of children, animations, animated drawings, celebrities, athletes, mascots, interactive elements such as games, digital downloads, that are meant to engage and target children.
Warning Seals

New warning seals and statements replace the current FOP icons. The original FOP (Front-of-Package) icons were designed to inform consumers of the amounts of selected nutrients. In contrast, the new FOP icons warn consumers when the amounts exceed intake recommendations for:

OLD FOP ICONS

NEW FOP WARNING SEALS  
October 1, 2020
### Phase 1 - Thresholds

<table>
<thead>
<tr>
<th>100-gram solid products and 100-milliliter liquid products</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Energy (kcal)</strong></td>
</tr>
<tr>
<td>≥ 275 kcal total (solid product)</td>
</tr>
<tr>
<td>≥ 70 kcal total or ≥ 10 kcal from free sugars (liquid product)</td>
</tr>
</tbody>
</table>

**EXCESO CALORÍAS** (Excess Calories)  
**EXCESO AZÚCARES** (Excess Sugars)  
**EXCESO GRASAS SATURADAS** (Excess Saturated Fats)  
**EXCESO GRASAS TRANS** (Excess Trans Fats)  
**EXCESO SODIO** (Excess Sodium)
Phase 1 - Thresholds

Specific threshold limits are to be evaluated based on the ingredients in product formulation.

• For products with Added Sugars, evaluate only Energy and Sugars threshold requirements.
• For products with Added Fats, evaluate only Energy, Saturate Fat, and Trans Fat threshold requirements.
• For Products with Added Sodium, evaluate only Sodium threshold requirements.
Definitions for Sugar

**Azucares añadidos** (Added Sugars) are defined as “Sugars added during the industrial process”

**Azucares** (*Free Sugars*), defined as “available mono and disaccharides added to the product plus naturally occurring sugars in honey, syrups, and fruit and vegetables juices.”
Phase 2 & 3

• Phase 2 — Oct. 1, 2023 – Sept. 30, 2025: Specific threshold limits are to be evaluated based on the ingredients in product formulation.
  • For products with Added Sugars, evaluate only Energy and Sugars threshold requirements.
  • For products with Added Fats, evaluate only Energy, Saturate Fat, and Trans Fat threshold requirements.
  • For Products with Added Sodium, evaluate only Sodium threshold requirements.

• Phase 3 — On and after Oct. 1, 2025: Products with Added Sugars, Added Fat, or Added Sodium must bare seals for any nutrients that exceed ANY of the threshold requirements.
# Phase 2 & 3 Thresholds

## 100-gram solid products and 100-milliliter liquid products

<table>
<thead>
<tr>
<th>Energy (kcal)</th>
<th>Sugars</th>
<th>Saturated Fats</th>
<th>Trans Fats</th>
<th>Sodium</th>
</tr>
</thead>
<tbody>
<tr>
<td>≥ 275 kcal total (solid product)</td>
<td>≥ 10% total kcal from free sugars.</td>
<td>≥ 10% total kcal from saturated fats</td>
<td>≥ 1% total kcal from trans fats</td>
<td>≥ 1 mg of sodium per kcal or ≥ 300 mg (solid products).</td>
</tr>
<tr>
<td>≥ 70 kcal total or ≥ 8 kcal free sugars (liquid product)</td>
<td></td>
<td></td>
<td></td>
<td>Calorie free beverages: ≥ 45 mg of sodium</td>
</tr>
</tbody>
</table>

**EXCESO CALORÍAS** (Excess Calories)  
**EXCESO AZÚCARES** (Excess Sugars)  
**EXCESO GRASAS SATURADAS** (Excess Saturated Fats)  
**EXCESO GRASAS TRANS** (Excess Trans Fats)  
**EXCESO SODIO** (Excess Sodium)
Warning Seal Layouts

The layout and order of the seals are predetermined by the regulations and cannot be modified. Here are some examples:
Small Packages

Products with a primary display area of $\leq 5 \text{ cm}^2$ must include one sign with a number that indicates how many nutrients exceed the recommended threshold.
Caffeine Warning Statement

Cautionary warnings/legends to discourage the consumption of caffeine by children.

Caffeine

A warning statement “Contiene cafeína evitar en niños” (Contains caffeine, avoid giving to children) is required if the product contains any caffeine at all.
Caffeine Defined

• **Caffeine**: For purposes of a Warning Statement requirement, Caffeine is defined as any caffeine ingredient that is ADDED to a product formulation.
Sweeteners Warning Statement

Cautionary warnings/legends to discourage the consumption of sweeteners by children.

Sweeteners
A warning statement “Contiene edulcorantes, no recomendable en niños” (Contains sweeteners, not recommended for children), is required on products containing excess sugar.
"Sweeteners" are defined in the NOM as substances different from mono and disacharides that impart sweetness to products. These may be considered "Natural" or "artificial".

Warning Statements Layout Specs

• Shape: Regular octagon
• Background color: Black with white outline
• Font: Arial Bold in white, to contrast with the background.
• Placement: Primary Display Panel (almost always the front)
• Top right corner
• Warning Statement must appear below warning seals

In addition, products with one or more warning seals or those that include the Sweetener Warning Statement, should not include any elements directed towards children to promote consumption. This includes characters, cartoons, pictures of celebrities or athletes, games or interactive elements or digital downloads.
Changes to the Nutrition Facts Label

**Changes from Información Nutricional (Nutritional Information) to Declaración Nutritiva (Nutritional Declaration)**

- **Contenido energético (Calories)** must be in bold type and also declared por envase (per container)
- **Grasas saturadas (Saturated Fat)** must be in bold type
- **Grasas trans (Trans fat)** now **mandatory** and must be in bold type
- **Azúcares añadidos (Added Sugars)** now **mandatory** and must be in bold type
- **Sodio (Sodium)** must be in bold type

**Declaración Nutritiva**

<table>
<thead>
<tr>
<th>Tamaño de la Porción</th>
<th>1 taza (245 g)</th>
<th>Porciones por Envase</th>
<th>8</th>
</tr>
</thead>
<tbody>
<tr>
<td>Contenido energético por envase</td>
<td>1 780 kcal (7 482 kJ)</td>
<td>Por 100 ml</td>
<td>Por Porción</td>
</tr>
<tr>
<td>Contenido energético</td>
<td>96 kcal (405 kJ)</td>
<td>222 kcal (931 kJ)</td>
<td></td>
</tr>
<tr>
<td><strong>Proteínas</strong></td>
<td>3 g</td>
<td>7 g</td>
<td></td>
</tr>
<tr>
<td><strong>Grasas totales</strong></td>
<td>3.5 g</td>
<td>8 g</td>
<td></td>
</tr>
<tr>
<td><strong>Grasas saturadas</strong></td>
<td>2 g</td>
<td>4.5 g</td>
<td></td>
</tr>
<tr>
<td><strong>Grasas trans</strong></td>
<td>0 mg</td>
<td>0 mg</td>
<td></td>
</tr>
<tr>
<td><strong>Hidratos de carbono disponibles</strong></td>
<td>14 g</td>
<td>32 g</td>
<td></td>
</tr>
<tr>
<td><strong>Azúcares</strong></td>
<td>14 g</td>
<td>32 g</td>
<td></td>
</tr>
<tr>
<td><strong>Azúcares añadidos</strong></td>
<td>9 g</td>
<td>22 g</td>
<td></td>
</tr>
<tr>
<td><strong>Fibra dietética</strong></td>
<td>0 g</td>
<td>0 g</td>
<td></td>
</tr>
<tr>
<td><strong>Sodio</strong></td>
<td>45 mg</td>
<td>100 mg</td>
<td></td>
</tr>
<tr>
<td>%VNR Por Porción*</td>
<td>50 %</td>
<td>1 µg</td>
<td></td>
</tr>
<tr>
<td><strong>Cobre</strong></td>
<td>15 %</td>
<td>108 µg</td>
<td></td>
</tr>
</tbody>
</table>

*Valores Nutritivos de Referencia para la Población Mexicana

**NUTRIENT DECLARATION**

- Changed from Por 100 g/mL OR Por Porción OR Por Envase to **Por 100 g/mL with the option to also display a Por Porción or Por Envase column**

**FONT SIZE**

- Must be at least 1.5 mm (~5.6 pt) in height, unless:
  - PDP area is less than 32 cm²
  - More than 20 nutrients must be declared and the PDP area is < 32 cm²
  - In returnable packages where nutrition facts is on the cap

**VITAMINS & MINERALS**

- If declared as quantitative amounts, must reflect por 100 g/mL. If declared as %VNR, must be por Porción
- Voluntary and only permitted if %VNR ≥ 5%
- IDS value for Vitamin D increased to 10mcg
Changes to the Nutrition Facts Label

Mandatory Nutrients
- Kilocalories (kcal) and Kilojoules (kJ)
- Protein
- Total Fat
- Saturated Fat
- Trans Fatty Acid*
- Carbohydrate (Available)
- Total Sugars
- Added Sugar*
- Total Dietary Fiber
- Sodium

Serving Size
- Nutrition Information is listed per 100g or 100mL
- Information may also be listed per portion amount
- Table of Reference Amounts for Food

Declaración Nutrimental
Tamaño de la Porción 1 taza (278.19 g)
Porciones por Envase 8

<table>
<thead>
<tr>
<th>Contenido energético por envase</th>
<th>1 780 kcal (7 482 kJ)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Por 100 ml Por Porción</td>
<td>178 kcal (748 kJ)</td>
</tr>
</tbody>
</table>

| Contenido energético | 96 kcal (405 kJ) | 253 kcal (1 063 kJ) |

| Proteinas | 3 g | 8 g |
| Grasas totales | 3.5 g | 9 g |
| Grasas saturadas | 2 g | 5 g |
| Grasas trans | 0 mg | 0 mg |
| Hidratos de carbono disponibles | 14 g | 37 g |
Nutrient Changes

Mandatory Nutrients
• Trans Fat is a new mandatory nutrient and is reported in mg.
• Added Sugars is a new mandatory nutrient and is reported in g.

Voluntary Vitamins and Minerals
• Vitamin B1, Vitamin B2, Vitamin B6, and Copper are now reported in $\mu g$ instead of mg.
• The IDS value for Vitamin D has increased from 5 mcg to 10mcg.
• Voluntary vitamins and minerals will only appear on the label if the %VNR is 5% or greater.
Energy Content Calculation

### Genesis R&D

- Allulose and Tagatose, when populated, will be used to calculate calories. Polydextrose can be displayed as a voluntary label nutrient.

- Allulose, Polydextrose, and Tagatose have been added to the nutrients available in the database.

<table>
<thead>
<tr>
<th>Nutrient</th>
<th>Conversion Factor</th>
</tr>
</thead>
<tbody>
<tr>
<td>Available Carbohydrates</td>
<td>4 kcal/g and 17 kJ/g</td>
</tr>
<tr>
<td>Protein</td>
<td>4 kcal/g and 17 kJ/g</td>
</tr>
<tr>
<td><strong>Fats</strong></td>
<td><strong>9 kcal/g and 37 kJ/g</strong></td>
</tr>
<tr>
<td>Alcohol (ethanol)</td>
<td>7 kcal/g and 29 kJ/g</td>
</tr>
<tr>
<td>Polyols (sorbitol, xylitol, manitol, isomaltitol, lactitol)</td>
<td>2.4 kcal/g and 10 kJ/g</td>
</tr>
<tr>
<td>Erythritol</td>
<td>0 kcal/g and 0 kJ/g</td>
</tr>
<tr>
<td>Allulose</td>
<td>0 kcal/g and 0 kJ/g</td>
</tr>
<tr>
<td>Tagatose</td>
<td>1.5 kcal/g and 6,276 kJ/g</td>
</tr>
</tbody>
</table>
Ingredient Statements

• Ingredients listed in descending order of predominance by weight and composite ingredients must disclose sub-ingredients in parenthesis when they represent more than 5% of the product.

• When Added Sugars are used in the product, the ingredient statement must group them together and display “Added sugars” followed by a list of the specific names, listed by weight, in parenthesis.
Allergens

If the product contains any of these allergens, they must be listed after the ingredient statement in a bold font:

• Gluten
• Crustaceans and products
• Eggs and byproducts
• Fish and byproducts
• Molluscs (New)
• Peanut and byproducts
• Soy and byproducts
• Milk/dairy
• Tree nuts and derived products
• Sulfite (in concentrations of 10 mg / kg or more)

Tree nuts must be listed by specific type. Example: Almonds, walnuts, hazelnuts, pecans, etc. When contamination is possible during production, the label must use a “may contain” statement.
Genesis R&D Training (Online)

2-day Professional Training
This 2-day training session covers the fundamentals of the Genesis R&D Food program: creating ingredients, building recipes/formulas, nutrition analysis and reporting, labeling, and best practices. In addition, this session covers a comprehensive regulatory review.

1-day Advanced Training
This session covers advanced topics such as Advanced Labels, PDCAAS (protein digestibility score), range formulas, international labels, and much more. This session also covers a comprehensive regulatory review.

<table>
<thead>
<tr>
<th>2-day Professional Dates</th>
<th>1-day Advanced Dates</th>
</tr>
</thead>
<tbody>
<tr>
<td>January 19-20, 2021</td>
<td>January 21, 2021</td>
</tr>
<tr>
<td>February 23-24, 2021</td>
<td>February 25, 2021</td>
</tr>
<tr>
<td>March 23-24, 2021</td>
<td>March 26, 2021</td>
</tr>
</tbody>
</table>

Contact training@esha.com with any questions or to inquire about personalized training for your organization.
See the Training Schedule at: https://esha.com/news-events/training-schedule/
**CONTACT US**

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