

NON-OFFICIAL TRANSLATION**SECRETARY OF ENVIRONMENT
AND NATURAL RESOURCES**

Mexican Official Rule NOM-144-SEMARNAT-2004, That establishes the internationally recognized phytosanitary measures for wood packaging used in international trade of goods and products.

In the margin, there is a stamp with the National Shield, that says: United States of Mexico. - Secretary of Environment and Natural Resources.

JUAN RAFAEL ELVIRA QUESADA, Undersecretary of Development and Environmental Regulatory Process and Chairperson of the National Consulting Committee for Environmental and Natural Resources Standardization, based on article 32 bis sections I, II, IV, V and XLI of the Organic Law of the Federal Public Administration; in articles 16 sections XVI and XXVI, 119 and 120 of the General Law of Sustainable Forestry Development; 1st., 2nd., 4th., 5th., 19 and 24 of the Federal Law of Plant Health; 40, 41 and 48 of the Federal Law on Metrology and Standardization, and 8th section V and 32 section XII of the Internal Regulation of the Secretary of Environment and Natural Resources, and

CONSIDERING THAT

Mexico is a contracting party of the International Plant Protection Convention, according to the Proclaiming Decree approved by Resolution 12/97 of the 29th session of the Conference of the Food and Agriculture Organization of the United Nations (FAO), held in Rome, Italy, the seventeen of November of nineteen ninety seven and published for due observance in the **Federal Official Register** on November 30, 2000.

In March 2002, the International Plant Protection Convention adopted an International Standard for Phytosanitary Measures (ISPM) for wood packaging called: "Guidelines for Regulating Wood Packaging Material in International Trade" publication number 15; this standard recognizes the risk to plant health, associated with wood packaging.

Signing countries of the International Plant Protection Convention are making efforts to require, in the short-term, that all countries comply with ISPM N.º 15.

The scope of ISPM N.º 15 describes phytosanitary measures to reduce the risk of introduction and/or spread of quarantine pests associated with wood packaging material made of coniferous and non-coniferous raw wood, for international trade, including an internationally recognized mark.

Within such international standard, in the outline of requirements, exporting countries should establish procedures to verify the application of approved measures, including the application of a globally recognized mark.

It is necessary for Mexico to establish procedures and requirements, allowing users of wood packaging for international trade of goods and products, to comply with international standards for phytosanitary measures.

Wood packaging is essential in international trade for the movement and protection of goods and products.

Wood packaging is usually made with non-manufactured wood, that has not had sufficient processing or treatment to remove live pests present in raw or recently cut wood.

At the several points of entry for importation of goods and products there have been interceptions of non-native pests of quarantine importance present in the wood packaging and that these pests are capable of survival, entry and spread in parts of or the whole national territory. Therefore, wood packaging is considered one of the main pathways in the movement of non-native quarantine pests.

The phytosanitary measures established in this rule, significantly reduce the risk of introduction and/or spread to the country of the following quarantine pests listed, as well as for other pests that can be associated with wood packaging.

Insects:

<i>Anobiidae</i>	<i>Platypolidae</i>
<i>Bostrichidae</i>	<i>Rhinotermitidae</i>
<i>Buprestidae</i>	<i>Scolytidae</i>
<i>Cerambycidae</i>	<i>Siricidae</i>
<i>Curculionidae</i>	<i>Termitidae</i>
<i>Kalotermitidae</i>	<i>Termopsidae</i>
<i>Lymexylidae</i>	

Nematodes:

Bursaphelenchus xylophilus

On November 26, 2003, a Mexican Official Rule of Emergency NOM-EM-144-SEMARNAT was published in the **Official Federal Register** which establishes the technical specifications of the phytosanitary measure (treatment) and the use of the mark that accredits its application, for wood packaging used in international trade.

On December 18, 2003, in the **Official Federal Register**, an agreement where the procedures and requirements to authorize usage of the mark, testifying the application of phytosanitary measures in wood packaging used in international trade was published.

In order to avoid phytosanitary risks and endanger international trade, it is necessary to make known the recognized phytosanitary measures and the usage of the mark testifying the application of such measures.

To comply with article 47 section I of the Federal Law on Metrology and Standardization dated September 24, 2004, it was published, in the **Official Federal Register**, as a draft rule. This Mexican Official Rule under the number PROY-NOM-144-SEMARNAT-2004, establishes the phytosanitary measures recognized internationally for wood packaging used in international trade for goods and products, in order that interested parties, within a period of 60 calendar days after the date of publication provide comments to the National Consulting Committee for Standardization of the Environment and Natural Resources.

During the period indicated, pursuant to article 45 of the Federal Law on Metrology and Standardization, the manifestation of regulatory impact was available to the public for consultation in the office of the above mentioned Committee.

During the period indicated in article 47 of the Federal Law on Metrology and Standardization, interested parties provided their comments to the indicated amended draft rule. Comments were reviewed by the National Consulting Committee on Standardization of Environmental and Natural Resources, the amendments to the draft were made and published in the **Official Federal Register** pursuant to article 47 section III of the legal rule indicated.

Having complied with the procedures indicated in the Federal Law on Metrology and Standardization for Development of Mexican Official Rules, the National Consulting Committee on Standardization of Environmental and Natural Resources approved this Mexican Official Standard in its session held on December 15, 2004.

In accordance with that set out above I have issued the following:

MEXICAN OFFICIAL RULE NOM-144-SEMARNAT-2004, THAT ESTABLISHES THE PHYTOSANITARY MEASURES RECOGNIZED INTERNATIONALLY FOR WOOD PACKAGING USED IN INTERNATIONAL TRADE OF GOODS AND PRODUCTS

PREFACE

Representatives of the following authorities participated in the development of this draft Mexican Official Rule:

Associations and Chambers

- Asociación Nacional de Fabricantes de Tableros de Madera, A.C. ANAFATA, A.C.
- Asociación Nacional de Importadores y Exportadores de la República Mexicana, ANIERM
- Asociación Mexicana de Envases y Embalajes, AMEE
- Confederación de Asociaciones de Agentes Aduanales de la República Mexicana, CAAAREM
- Consejo Empresarial Mexicano de Comercio Exterior, Inversión y Tecnología, COMCE
- Consejo Nacional de la Industria Maquiladora de Exportación A.C., CNIME
- Confederación Patronal de la República Mexicana, COPARMEX
- Asociación Mexicana de la Industria Automotriz, A.C., AMIA
- Asociación Nacional de Importadores y Exportadores de Productos Forestales, A.C. IMEXFOR
- Asociación Mexicana de Agentes Navieros, A.C. AMANAC
- Asociación Nacional de la Industria Química, A.C. ANIQ
- Cámara Nacional de la Industria Maderera, A.C.
- Cámara Nacional de la Industria Forestal
- Cámara Nacional de la Industria de la Cerveza y de la Malta
- Cámara Nacional de la Industria de Transformación, CANACINTRA

Teaching and Research

- Instituto de Recursos Naturales del Colegio de Postgraduados
- División de Ciencias Forestales, Universidad Autónoma Chapingo

Federal government

Secretary of Environment and Natural Resources

- National Institute for Ecology
- Federal Attorney's Office for Environmental Protection
- National Forestry Commission
- General Directorate for Forestry and Soil Management
- General Directorate for Basic Sector and Renewable Natural Resources
- Coordinator for Environmental Policy and Regulation

Secretary of Agriculture, Livestock, Rural Development, Fisheries and Food

- General Directorate for Plant Health
- National Institute for Forestry, Agricultural and Livestock Research

Secretary of Economy

- General Directorate for Basic Industries
- Commission for Foreign Trade
- General Directorate for Standards

Companies

- Manaquim, S.A. de C.V.
- Maderas Gavilán, S.A. de C.V.
- Chep de México, S.A. de C.V.

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1. Objectives and scope

This rule shall be applied throughout the national territory and its purpose is to establish:

1.1. Phytosanitary measures for wood packaging used in international trade of goods and products, its technical specifications and the use of the internationally recognized mark to authorize the application of such phytosanitary measures.

1.2. The requirements that must be met to use the mark indicated in this rule, related to wood packaging used to export goods and products.

1.3. Guidelines for visual verification, at the points of entry to the country, of wood packaging used to import goods and products, to reduce the risk of pest introduction.

2. References

Mexican Official Rule NOM-022-FITO-1995, That establishes the characteristics and specifications for the notification to begin certification that individuals interested in providing phytosanitary treatment services to plants, plant products and by-products imported, exported and for national movement (DOF 2 of January 1997) must comply with.

3. Definitions

For the purposes of this rule, it will be understood that:

3.1. Visual verification. Action by which officers verify the presence of the mark, in the wood packaging used to import goods and products.

3.2. Directorate. General Directorate for Forestry and Soil Management for the Secretary.

3.3. Regional office. Federal Regional Office of the Secretary in the corresponding agency.

3.4. Disposal. Incineration, burial or processing of wood packaging.

3.5. Wood packaging. Wood or wood products (excluding paper products) used in supporting, containing, protecting or carrying a consignment, such as pallets, boxes, crating, spools, dunnage and skids, among others.

3.6. Evidence of live pest. When live insects are present, in any life stages (larva, nymph, pupa, adult), or there are evidences of active attack: recent sawdust (in the form of shaving, talc-like, thick or lumpy dust) of the same colour of the wood or with rust-like (black) colour coming from the holes, or presence of soil tunnels in the wood.

3.7. FAO. Food and Agriculture Organization of the United Nations (acronym in English).

3.8. Fumigation. Treatment with a chemical agent usually in gaseous state and that reaches the wood packaging wholly.

3.9. Chemical pressure impregnation (CPI). Treatment of wood with a chemical preservative through a process of pressure.

3.10. Inspection. Action by which PROFEPA, through its officers, verify compliance with provisions applicable to environmental issues and which is initiated only after evidence of a live pest is observed in wood packaging.

3.11. Dunnage. Wood packaging used to support a shipment, but that it is not associated with the commodity.

3.12. Mark. Official stamp applied to wood packaging, which is recognized by Mexico and at the international level to accredit that the wood packaging was subject to any of the phytosanitary measures established in this rule.

3.13. Phytosanitary measure. Treatments established in this rule, aimed at reducing introduction and/or spread of quarantine pests associated with the wood packaging.

3.14. ISPM No. 15. International Standard for Phytosanitary Measures No. 15 titled "Guidelines for Regulating Wood Packaging Material in International Trade", published by the International Plant Protection Convention of the FAO.

3.15. Quarantine pest. A pest of potential economic importance to the area endangered thereby and not yet present there, or present but not widely distributed and being officially controlled.

3.16. Person. Individual or entity.

3.17. Official personnel. Public servants of PROFEPA, assigned to an inspection station located at the point of entry and exit in the national territory.

3.18. PROFEPA. Federal Attorney's office for Environmental Protection (Procuraduría Federal de Protección al Ambiente).

3.19. Rebuilding. A process in which wood packaging is built from original or resized components originating from used wood packaging.

3.20. Repair. A process in which harmful elements are removed from the wood packaging to be replaced by others in good condition.

3.21. Recycling. See rebuilding.

3.22. Secretary. Secretary of Environment and Natural Resources.

3.23. Phytosanitary treatment. Authorized procedure to eliminate pests.

3.24. Heat treatment. The process in which a commodity is heated until it reaches a minimum temperature for a minimum period of time according to an official technical specification recognized by this rule.

4. Specifications

4.1. General guidelines.

4.1.1. Phytosanitary measures approved at the international level and recognized by Mexico, to treat wood packaging used in international trade are heat treatment (HT) and methyl bromide fumigation (MB).

4.1.2. Individuals applying the mark to the wood packaging intended to be used to export goods and products, must comply with sections 6.1 to 6.5 of the Procedure to Evaluate Compliance of this Rule.

4.1.3. Pursuant to articles 23 section II and 24 of the Federal Law of Plant Health, wood packaging used to import goods and products must comply with phytosanitary measures and bear the mark indicated in this rule.

4.2. Specific guidelines.

4.2.1. Phytosanitary measures (treatments).

4.2.1.1. Heat Treatment (HT). Debarked wood packaging material should be heated in accordance with a specific time-temperature schedule that achieves a minimum wood core temperature of 56 °C for a minimum of 30 minutes.

Kiln drying (KD) and chemical pressure impregnation (CPI) may be considered heat treatments as far as they comply with specifications for heat treatment. When wood packaging is subject to one of these treatments, the corresponding acronym should be placed in the mark, after the abbreviation HT.

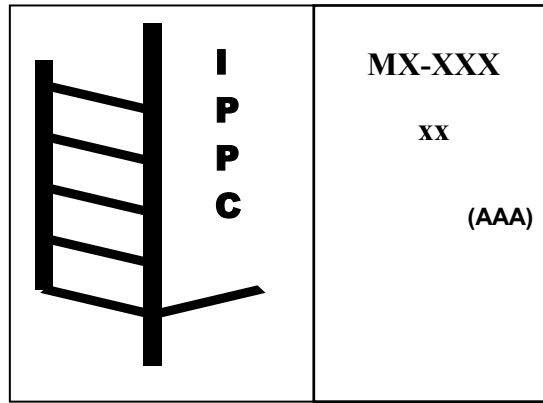
4.2.1.2. Methyl bromide fumigation treatment (MB) consists of the fumigation of debarked wood packaging as per the following table:

Table: Methyl bromide fumigation

Temperature	Dosage g/m ³	Hours exposed	Minimum concentration (g/m ³) at				Aeration time (hours)
			30 min	2 hours	4 hours	16 hours	
21°C or higher	48	16	36	24	17	14	12
16°C to 20,9°C	56	16	42	28	20	17	12
11°C to 15,9°C	64	16	48	32	22	19	12

4.2.2. Mark to accredit the application of phytosanitary measures.

4.2.2.1. Figure in the mark shall be in accordance with the following:



The acronym IPPC is part of the figure, which means: International Plant Protection Convention, as per the acronym in English.

4.2.2.2. Content in the mark shall be in accordance with the following:

- MX** Acronym for Mexico, in the case of wood packaging used for exports; or the acronym corresponding to each country for wood packaging used for imports.
- XXX** Unique number issued by the authority of each country to the authorized person to use the mark. In the case of Mexico, the number will be issued by the Secretary.
- xx** Abbreviations for phytosanitary treatments.
- HT** Abbreviation for heat treatment.
- MB** Abbreviation for methyl bromide fumigation.
- (AAA)** Identification code for the person authorized and treatment application date. The code is optional to the holder of the authorization, with no restriction on number of characters.

4.2.2.3. The mark in the wood packaging must comply with the following:

- a) Must be legible, permanent and placed in a visible location, on at least two opposite sides of the wood packaging.
- b) The use of red or orange should be avoided in the mark. The mark may be painted with permanent paint, preferably in black, engraved with heat or with a marker;
- c) Labels or stickers are not allowed, and
- d) The mark is non-transferable.

4.2.3. In the case of wood packaging that due to its conditions of usage cannot be treated completely assembled, its parts must be treated and individually marked.

5. Guidelines for visual verification of wood packaging used to import goods and products.

5.1. The official personnel must visually, randomly and free of charge verify that wood packaging bears the mark established in this rule through the procedure specified in section 6.6. of this rule.

5.2. If during visual verification the official personnel find that the wood packaging bears the mark indicated in this rule and there is no evidence of live pests, the officer must reseal the container and continue with the import process.

5.3. If from the visual verification it is determined that the wood packaging does not bear the mark indicated in this rule, the importer must proceed with any of the following measures, and then the importation process can continue:

- a) Apply any of the phytosanitary treatments to the wood packaging indicated in this rule; or
- b) Dispose of the wood packaging and replace it with: national packaging free of evidence of live pests; or a material other than wood; or
- c) Return the wood packaging to the country of export.

In the case of paragraph b), the official personnel must be present to verify the application of the measure. The cost of any of the three previous options will be the responsibility of the importer.

5.4. When visual verification indicates that the wood packaging bears the mark indicated in this rule and there is evidence of a live pest the official personnel must start an inspection. Phytosanitary measures derived from the inspection procedure technical report will be one or several of those indicated in section 5.3. of this rule.

5.5. For the purpose of sections 5.3 and 5.4 of this rule, when a phytosanitary treatment needs to be applied, it should be applied by a company authorized for such purpose, which should place the corresponding mark or issue a proof of treatment, allowing the importer to continue with the entry process to the country.

5.6. Recycled, rebuilt or repaired wood packaging must be treated and remarked. Marks from previous treatments must be removed.

5.7. The following wood packaging for importation are exempted from this rule:

a) Those made wholly of manufactured wood, such as plywood, particle board, oriented strand board or veneer that have been created using glue, heat or pressure or a combination thereof;

b) Veneer peeler, sawdust, shavings and raw wood cut in pieces with 6 mm (six millimetres) thickness or less and

c) Barrels transporting alcoholic drinks.

6. Procedures to evaluate compliance

6.1. Official personnel or individuals approved and accredited by the Secretary pursuant to the Federal Law on Metrology and Standardization may verify, in terms of compliance of obligations derived from the authorizations to use the mark issued by the Secretary.

6.2. Authorization to use the mark.

6.2.1. To place the mark on the wood packaging used to export goods and products, the corresponding authorization must be requested to the Secretary, through the Directorate or regional office.

6.2.2. Requirements.

Interested parties wishing to obtain the authorization to use the mark from the Secretary, for themselves or third parties, must have facilities located in the national territory to apply some of the treatments indicated in this rule and submit an application to the Secretary, using the copyright free format in Annex 1.

6.2.2.1. The application must have the following documents attached:

a) For entities, copy of the deed of incorporation and its original for comparison, copy of the taxpayer Federal Register or certified copy of the power of attorney of the person taking care of the procedures.

b) For individuals: Personal ID, if there is a representative of the individual, letter-proxy.

c) Copy of the applicant's official identification.

d) For heat treatment, two graphs obtained within the five previous days of the application. The graphs must indicate, at least, the following:

- Period in which the treatment cycle was initiated and finished;

- Date of the treatment cycle, and

- Temperature values and time for each of the probes or sensors (thermocouples) must be placed in the middle of the thicker part of the packaging, in order to prove that parameters indicated in this rule were reached.

6.2.2.2. Facilities to apply heat treatment, as a minimum, must have the following:

a) Heating system, which achieves a wood core temperature of 56 °C for 30 minutes;

b) Air flow or ventilation system;

c) Automatic or semi-automatic systems to measure, regulate and record the process;

d) Two or more sensors or probes (thermocouples) to measure and register the wood core temperature in the thicker part of the wood packaging, and

e) Humidifying system for kiln dryers.

6.2.2.3. Facilities to apply methyl bromide fumigation treatment must have, as a minimum, the following:

a) Volumetric doser for methyl bromide cylinder.

b) Applicator with a valve for methyl bromide cans.

c) LPG evaporator for methyl bromide with a minimum capacity of 6 000 kcal/h (23 600 BTUH).

d) Polyethylene hoses of 6,35 mm in diameter to introduce methyl bromide.

- e) 0,10 m wide tape to seal.
- f) 30,0 m long measuring tape.
- g) Enclosed warehouse, preferably with grill and adequate ventilation to store the methyl bromide in keeping with the standards established by public health and environmental authorities. It should have signs indicating danger and that access is restricted to persons trained for these facilities. It should have an adequate fire extinguisher and first aid kit and there must be a sign with emergency telephone numbers and identification of the material and equipment in the warehouse.
- h) Full-face protecting masks with organic vapour cartridge.
- i) Propane or electronic halide leak detector.
- j) Protective clothing and industrial goggles for each of the operators.
- k) Signs indicating danger. Cordon off the area of application with the following: "Danger. Restricted area. Application of highly toxic methyl bromide."
- l) Unit for heat conduction (H/C).
- m) Auxiliary pump for long sampling hoses.
- n) Filters for carbon dioxide.
- o) Sampling pump and colorimeter tubes (Drager, Kitagawa, Gastec).
- p) Device to introduce nitrogen in methyl bromide tanks.
- q) Ducts to extract gas.
- r) Industrial use electrical cable. Three extensions.
- s) Fans (for circulation, extraction and introduction).
- t) Sampling gas hoses or tubes for the H/C unit.
- u) Sand or water pads.
- v) Self-containing or hose respirators.
- w) Interior surface walls for fumigation chambers for phytosanitary treatments must be made of smooth cement and painted with oil-based paint, or may be built of steel or other material which assures airtightness and with capacity, according to the volume, to be able to provide treatment at each inspection point.
- x) Devices to take samples of interior atmosphere and with a thermometer and hygrometer with the face to the outside of the facility.
- y) If vacuum fumigation services are offered, there must be fume extraction equipment with 650 mm vacuum capacity.

Compliance with this rule does not exempt any individual from compliance with other applicable legal provisions related to methyl bromide.

6.2.3. The holder of the authorization to use the mark should develop a document, one original and two copies, for each treatment applied, specifying the following information:

- a) Phytosanitary treatment applied;
- b) Application date of phytosanitary treatment;
- c) Number of items, volume in cubic meters and type of packaging (pallet, box, etc.) treated;
- d) Type of wood (coniferous, non-coniferous or a combination of both);
- e) New, used or rebuilt wood packaging;
- f) Name, denomination or registered name; address, telephone and e-mail address of the person requesting the phytosanitary treatment for the wood packaging, and
- g) Time from the beginning until the parameters established in this rule are reached and the time it remained under such conditions.

The original document must be provided to the owner of the wood packaging, a copy for the file of the holder of the authorization and another one for the authority issuing the authorization. This last copy must be sent to the authority, accumulatively, by the holder of the authorization every six months from the date in which the authorization was issued, keeping, in turn, the graphic for heat treatment.

6.2.4. Authorization procedure to use the mark.

The following is the procedure that the Secretary must follow for the authorization requests:

- a) Once the request is submitted, the Regional Office or the Directorate, within five working days, will review its origin.

b) The Regional Office or the Directorate must review the request and the documents as well as the information attached and determine if the individual or entity meet the requirements and, if necessary, notify the interested party to submit the documentation or missing information within five working days, otherwise, the request will be rejected.

c) If the request proceeds, the Directorate or Regional Office, within 10 working days, must provide a technical visit to the facilities, to verify compliance with the requirements indicated in this rule.

If the authority does not make the technical visit within the period of time indicated in the previous section, the decision process must continue.

d) If the technical visit determines that the facilities do not meet the specifications set forth in this rule, the Directorate or Regional Office must notify the interested party to meet the specifications within 30 calendar days, otherwise, the request will be rejected.

e) After the periods previously indicated and the requirements are met, the Secretary must issue the corresponding authorization within five working days.

In case the authority is not resolved within the periods indicated, the request will be considered as authorized.

6.2.5. The authorization has an indefinite validity.

6.2.6. Authorization provided by the Secretary, through the Directorate or Regional Office, must include the following:

- a)** Date issued;
- b)** Name and address of the holder;
- c)** Unique number provided to the authorized individual or entity, which should be included in the mark;
- d)** Phytosanitary measure (treatment) authorized to the holder;
- e)** Facility location where the phytosanitary measure (treatment) will be applied, and
- f)** Validity of the authorization.

6.2.7. The holder of the authorization must place the authorization in a visible location to facilitate its identification.

6.3. The address must have a record of the persons authorized to use the mark.

6.4. Individuals modifying the facilities authorized to apply phytosanitary treatments or changing the address, must notify the Directorate or Regional Office using the format in Annex 2 of this rule or by e-mail within the next five working days from the date the modifications took place.

6.4.1. The notice must contain the corresponding information and the following documents should be attached:

- a)** Name or registered name and address;
- b)** Taxpayer Federal Register or CURP;
- c)** Telephone or fax and/or e-mail;
- d)** If there are modifications, description of such modifications;
- e)** The new location, in case of change of address of the authorized facilities;
- f)** Copy of the authorization issued to use the mark, and
- g)** In such case, single copy of proof of new address.

The Directorate or Regional Office must modify the corresponding authorization, updating the record for authorized persons.

6.5. If the authorized person decides to relinquish the authorization, the Directorate or Regional Office must be notified using the format in Annex 2 of this rule or by e-mail.

6.5.1. The notice must contain the corresponding information and the following documents should be attached:

- a)** Name or registered name and address;
- b)** Taxpayer Federal Register or CURP;
- c)** Telephone or fax and/or e-mail;
- d)** Reasons to relinquish the authorization;
- e)** Copy of the authorization issued to use the mark;
- f)** Original devices to apply the approved mark, and
- g)** Original and copy of the documentation to compare it to the treatments applied up to the date the authorization was relinquished.

The Directorate or Regional Office must cancel the authorization and the unique number, which may not be reassigned for a period of two years from the cancellation date, and must update the records of authorized persons.

6.6. Visual verification of the mark in the wood packaging used to import goods and products.

6.6.1. Shipments that may be subjected to visual verification of wood packaging by official personnel, are determined according to the Customs automated selection mechanism, from which the official personnel will select some of them for visual verification.

6.6.2. Official personnel must visually verify that wood packaging bears the mark indicated in this rule.

In the case of a container, once opened, visual verification must be made only to visible packaging. If the mark is not visible due to the wood packaging arrangement, official personnel must request unloading to verify the presence of the mark.

6.6.3. When the results of the visual verification indicates that:

I. The packaging has the mark and there is no evidence of a live pest, everything must follow as indicated in section 5.2 of this rule, or

II. The packaging does not bear the mark, section 5.3 of this rule must be followed, or

III. The packaging bears the mark and there is evidence of live pest, everything must follow as indicated in section 5.4 of this rule.

7. Degree of consistency with other rules and international recommendations

This Mexican Official Rule is consistent with the International Standard for Phytosanitary Measure "Guidelines for Regulating Wood Packaging Material in International Trade" adopted on March 15, 2002 by the Interim Commission on Phytosanitary Measures of the International Plant Protection Convention of the FAO.

8. Observance of the rule

8.1. Compliance with this rule is under the authority of the Secretary, through PROFEPA, whose official personnel must perform the necessary visual verification, inspection and surveillance, or may be performed by accredited and approved personnel by the Secretary, pursuant to the Federal Law on Metrology and Standardization.

8.2. Infringement to this rule will be sanctioned according to the terms of the General Law of Sustainable Forestry Development, its regulations and other legal provisions applicable.

9. Bibliography

9.1. FAO 2002. Guidelines for Regulating Wood Packaging Material in International Trade. ISPM Pub. N°. 15, Rome, Italy, 16 p.

9.2. FAO 1999. Glossary of Phytosanitary Terms. ISPM Pub. No. 5, Rome, Italy, pp. 44-56.

9.3. Secretary of Economy. Mexican Official Rule NOM-008-SCOFI-2003, Sistema General de Unidades de Medida (General System for Measurement Units).

9.4. SEMARNAT. Emergency Mexican Official Rule NOM-EM-144-SEMARNAT, Which establishes the technical specifications for the phytosanitary measure (treatment) and usage of the mark accrediting the application of the mark, for wood packaging in international trade. **Federal Official Register** on November 26, 2003.

9.5. SEMARNAT. Agreement by which the procedure and requirements to authorize usage of the mark testifying the application of phytosanitary measures in wood packaging in international trade are announced. **Federal Official Register**, December 18, 2003.

9.6. Procedures manual for the importation and exportation of wild life, forestry products and by-products, and hazardous materials and waste, subjected to regulation by Secretary of Environment and Natural Resources, published in the **Federal Official Register** on January 29, 2004 and its reforms.

PROVISIONAL

FIRST. Pursuant to article 34 of the Regulation of the Federal Law on Metrology and Standardization, this Mexican Official Rule will come into effect the day after its publication in the **Federal Official Register**, and

SECOND. Sections 5 and 6.6 of this rule, regarding wood packaging in imports of goods and products, will come into effect on the sixteen day of September of the year two thousand and five.

Given in the City of Mexico, Federal District, on the fifteen day of the month of December of the year two thousand and four.- The Undersecretary of Development and Environmental Regulatory Process and Chairperson of the National Consulting Committee for Environmental and Natural Resources Standardization, **Juan Rafael Elvira Quesada**.- Signature.

Annex 1

Format to request authorization to use the mark



SECRETARY OF ENVIRONMENT AND NATURAL RESOURCES

SECRETARY OF ENVIRONMENT AND NATURAL RESOURCES

UNDERSECRETARY FOR MANAGEMENT FOR ENVIRONMENTAL PROTECTION

GENERAL DIRECTORATE FOR FORESTRY AND SOIL MANAGEMENT AND/OR FEDERAL DISTRICT OFFICE FOR SEMARNAT

PAGE

REQUEST FOR AUTHORIZATION TO USE THE MARK TESTIFYING THE APPLICATION OF PHYTOSANITARY TREATMENTS IN WOOD PACKAGING

INDIVIDUAL OR ENTITY

Name or registered name _____

T.F.R. _____ Official Identification _____

Address _____

P.C. _____ Municipality _____ State _____

Tel., fax and e-mail _____

AUTHORIZED REPRESENTATIVE

Name _____ T.F.R. _____

Address _____

P.C. _____ Municipality _____ State _____

Tel., fax and e-mail _____

PHYTOSANITARY MEASURE REQUESTED TO BE APPLIED (TREATMENT)

Heat Treatment _____ Methyl bromide treatment _____

LOCATION WHERE THE PHYTOSANITARY MEASURE (TREATMENT) WILL BE APPLIED

Address _____

P.C. _____ Municipality _____ State _____

TECHNICAL SPECIFICATIONS OF THE FACILITY FOR HEAT TREATMENT

Estimated capacity (m³) _____

Facility dimensions (in meters):

Height _____ Width _____ Length _____

Type of energy supply:

Gas L.P. _____ Natural Gas _____ Wood scraps _____

Other (specify) _____

No. of sensors to measure temperature _____ Type of sensor _____

Description of the heating system _____

Description of type of measurement, regulation, registration and graphic system for the treatment process

Description of the air flow and ventilation system _____

Description of humidifying system (if there is one) _____

TECHNICAL SPECIFICATIONS OF THE FACILITY FOR METHLY BROMIDE TREATMENT (as per section 6.2.2.3 of the rule, indicate if the required equipment is available).

Capacity of the fumigation chamber (m³) _____ Dimensions of the facility (in meters):

Height _____ Width _____ Length _____

ANNEXS

- a) Copy of the deed of incorporation
- b) Certified copy of the power of attorney for the person doing the paperwork
- c) Copy of power of attorney letter (for individuals' representative)
- d) Copy of the Taxpayer Federal Register
- e) Copy of Official Identification
- f) Copy of the CURP
- g) Graphics for heat treatment
- h) Records for samples taken for the interior atmosphere and temperatures and humidity levels (fumigation treatment)



SECRETARY OF ENVIRONMENTAL AND NATURAL RESOURCES

SECRETARY OF ENVIRONMENT AND NATURAL RESOURCES

UNDERSECRETARY FOR MANAGEMENT FOR ENVIRONMENTAL PROTECTION

GENERAL DIRECTORATE FOR FORESTRY AND SOIL MANAGEMENT AND/OR FEDERAL DISTRICT OFFICE FOR SEMARNAT

PAGE

CASE 1: MODIFICATION NOTICE FOR THE FACILITY AUTHORIZED TO APPLY THE PHYTOSANITARY TREATMENTS OR CHANGE OF ADDRESS FOR THE AUTHORIZED FACILITY

CASE 2: NOTICE TO RELINQUISH THE AUTHORIZATION TO USE THE MARK

INDIVIDUAL OR ENTITY

Name or Registered name

T.F.R. Official Identification

Address

P.C. Municipality State

Telephone Fax and e-mail

AUTHORIZED REPRESENTATIVE

Name R.F.C.

Address

P.C. Municipality State

Tel., Fax and e-mail

CASE 1: MODIFICATION TO THE FACILITY AUTHORIZED TO APPLY THE PHYTOSANITARY TREATMENT.

Heat Treatment Methyl bromide treatment

DESCRIPTION OF THE MODIFICATION:

Blank lines for description of modification

New address

Blank lines for new address

ANNEXS:

- Copy of the authorization issued to use the mark.
Proof of new address

CASE 2: NOTICE TO RELINQUISH

REASONS:

Blank lines for reasons

ANNEXS:

- Original document of the authorization issued to use the mark.
Original devices to apply the approved mark.
Documentation (originals and copies) of the treatments applied on the date of the notice.

Name and Signature

Blank line for signature