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**OFFICIAL DIARY, Thursday, February 23, 2017 – First Section**

**MINISTRY OF ECONOMY**

**Official Mexican NORM: NOM-070-scfi-2016, Alcoholic Beverages, Mezcal, Specifications**

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(On the margin, a seal with the National Shield, which says: “United Mexican States, Secretariat of Economy, General Office of Norms”)

**OFFICIAL MEXICAN NORM NOM-070-SCFI-2016,  
ALCOHOLIC BEVERAGES-MEZCAL-SPECIFICATIONS**

**ALBERTO ULISES ESTEBAN MARINA**, General Director of Norms, and the President of the National Consulting Council on Normalization of the Secretariat of Economy (**CCONNSE**, according to its initials in Spanish: Tr.), based upon Articles **34**, sections XIII and XXIII of the Organic Law of Federal Public Administration; **39**, section V; **40**, sections I & XV; **47**, section IV of the Federal Law on Measurements and Normalization; **34** of its Regulations and **21**, sections I, IV, IX and XXI of the Internal Rules of this Secretariat, and

**C O N S I D E R I N G**

That on November 12, 2015, the National Consulting Council of Normalization of the Secretariat of Economy approved the publication of the Proposed Mexican Official Norm **PROY-NOM-070-SCFI-2015, ALCOHOLIC BEVERAGES – MEZCAL – SPECIFICATIONS**, said publication being carried out in the Official Diary of the Federation on March 4<sup>th</sup>, 2016, so that the interested parties could present their commentaries;

That during the space of 60 natural days, beginning on the day after the publication of said project of an official Mexican norm, the Manifestation of Regulatory Impact which is referred to in Article 45 of the Federal Law on Measurements and Normalization was available to the general public for consultation; and that within the same period, the interested parties presented commentaries on the content of the aforementioned proposed Official Mexican Norm, and those being duly analyzed by the working group in order to carry out the modifications that favored the project of the norm.

That on August 18, 2016, the National Consulting Committee on Normalization of the Secretariat of Economy approved the aforementioned norm;

That the Federal Law on Measurements and Normalization establishes that the Official Mexican Norms were created as the ideal instrument to support the denominations of origin for products of the country, the following norm is hereby issued: **NOM-070-SCFI-2016, ALCOHOLIC BEVERAGES – MEZCAL – SPECIFICATIONS. SINEC-20160815180244200.**

Mexico City, August 18<sup>th</sup>, 2016. – The General Director of Norms and President of the National Consulting Committee of Normalization of the Secretariat of the Economy, **Alberto Ulises Esteban Marina.** – Signature & flourish.

## **OFFICIAL MEXICAN NORM NOM-070-SCFI-2016, ALCOHOLIC BEVERAGES-MEZCAL- SPECIFICATIONS**

### **PREFACE**

The elaboration of this Official Mexican Norm falls within the jurisdiction of the National Consulting Committee on Normalization of the Secretariat of the Economy (CCONNSE), composed of:

- Secretariat of Energy
- Secretariat of Health
- Secretariat of Work and Social Prevention
- Secretariat of the Environment and Natural Resources
- Secretariat of Agriculture, Ranching, Rural Development, Fishing and Food
- Secretariat of Highways and Transportation
- Secretariat of Tourism
- Secretariat of Social Development
- Secretariat of Governance
- Secretariat of the Economy
- Federal Commission of Economic Competence
- National Chamber on the Industry of Transformation (CANACINTRA, according to its initials in Spanish, Tr.)
- Confederation of Industrial Chambers of the United Mexican States (CONCAMIN, according to its initials in Spanish: Tr.)
- National Autonomous University of Mexico
- National Polytechnic Institute
- National Meteorology Center
- Mexican Transport Institute
- Federal Consumer Justice Office
- Federal Commission for the Improvement of Regulations
- Mexican Society for Standardization and Certification

- Mexican Institute for Standardization and Certification
- Association for Standardization and Certification
- National Institute for Standardization of Textiles
- National Organism for the Standardization and Certification of Construction and Building
- Electronic Standardization and Certification
- Council to Promote the Quality of Milk and its Derivatives
- Center for the Standardization and Certification of Products
- National Chamber of the Iron and Steel Industry
- National Organism for the Standardization of Dairy Products, Civil Association
- National Council for the Standardization and Certification of Labor Competencies (CONOCER according to its initials in Spanish, Tr.)
- Mexican Petroleum
- Federal Electricity Commission

With the purpose of developing this Official Mexican Norm, a Working Group was formed with the voluntary participation of the following actors:

- National Association of Mezcal Businesses and Producers
- National Chamber of the Tequila Industry
- Armando Guillermo Prieto House
- Núñez Ruiz Marketing
- National Commission for the Knowledge and Use of Biodiversity
- State Commission for the Maguey-Mezcal Productive System
- Mezcal Regulating Council (Mexican Regulating Council for the Quality of Mezcal)
- Oaxacan Council on Science and Technology
- Regulating Council for Tequila
- Del Maguey Single Village Mezcal
- Sánchez & Associates Mezcal Distillers
- Artisanal Distillates
- La Ideal Distillates
- Los Danzantes Distillers
- Ejemsky Entertainment
- Elixir of the Kings (8 Snakes Mezcal)
- La Venia Mezcal
- Secretariat of the Economy, General Office of Norms
- Sergio Parra Menchaca
- Technological of Monterrey
- Chapingo Autonomous University

Likewise, the collaboration of the following individuals and businesses in the elaboration of the preliminary project for the modification of the current Official Mexican Norm has been outstanding:

- Abel Nolasco Velasco
- Abel Pastor Rodriguez
- Agapito Hernandez Garcia
- Agave & Mezcal Producers of Bramaderos Miahuatlán S.P.R. de R.L.
- Agustín Carrillo Castro
- Alberto Nevarez Cepeda
- Alberto Sanchez Lopez
- Alejandra Ramos Villanueva
- Alejandro Rodriguez Santiago
- Alfonso e. Villegas García
- Álvaro Arrazola Garcia
- Ambrocio Muñoz Loranca
- Ambrosio Espiritu Bello
- Ambrosio Martinez Blas
- National Association for the Alcoholic Beverage Industry & Connected Articles, Civil Association
- Antonio Alcaraz Laurente
- Antonio Amador Cruz
- Antonio Armando Ramírez Carmona
- Antonio Carlos Neyra Skidmore
- Antonio Ortega Carbajal
- Apaluz S.P.R. de R.L.
- Aquilino Garcia García
- Arturo Martinez Lopez
- Association for the Promotion of the Culture of Mezcal
- Aureliano Alcaraz Valentín
- Aureliano Hernandez Martinez
- Banuet Arrache & Associates
- Excellent Beverages
- Brigido Soto Hernandez
- Calixto Ángeles
- Cámara Nacional De La Industria del Mezcal/National Chamber for the Mezcal Industry
- Cámara Nacional de La Industria del Tequila/National Chamber for the Tequila Industry
- Cámara Nacional de la Industria de Transformación/National Chamber for the Industry of Transformation
- Casa Armando Guillermo Prieto
- Casa Mezcal Hutizila
- Casa Xipe
- Comité Sistema Producto Agave Mezcal del Estado de Guerrero/Agave-Mezcal Productive System of the State of Guerrero
- Comisión Nacional para el Conocimiento y Uso de la Biodiversidad/National Commission for the Knowledge and Use of Biodiversity

- Consejo Estatal de Desarrollo Económico del Estado de Zacatecas/State Economical Development Council for the State of Zacatecas
- Consejo Estatal del Producto Maguey Mezcal de GTO/State Maguey-Mezcal Productive Council of Guanajuato
- Consejo Oaxaqueño De Ciencia y Tecnología/Oaxacan Science & Technology Council
- Consejo Regulador del Mezcal (Consejo Mexicano Regulador de la Calidad del Mezcal)/Mezcal Regulating Council (Mexican Regulating Council for the Quality of Mezcal)
- Consejo Regulador del Tequila/Tequila Regulating Council
- Crispín Pérez Martínez
- Daniel Lorenzo O.
- Darío Castro Pérez
- Del Maguey Single Village Mezcal
- Destiladora de Mezcal Sanchez y Asociados/Sanchez & Associates, Distillers
- Destiladores de Agave de la Sierra Sur la Pila S.P.R. de R.L./Agave Distillers of the Sierra Sur
- Eduardo Orendain
- El Jigolengo S.P.R. de R.S.
- Enedino Cruz Bravo
- Enrique Méndez Antonio
- Epigmenio Cruz Velasco
- Epigmenio Martínez Pérez
- Eustaquio Luis Pérez
- Fabián García Campos
- Fábrica de Mezcal El 2 De Oros/2 de Oros Mezcal Factory
- Facundo Vázquez Deraz
- Federico Moctezuma González
- Feliciano Gracida Aquino
- Felipe De Jesús Saldaña Cortes
- Flavio Soto
- Fortino Lauro Ramos Floriano
- FPS Spirits
- Francisco Javier Espíritu Valenzo
- Franco Hernandez Alcocer
- Freddy Cortes Reyes
- Fundación Produce de Guerrero A.C./Produce Foundation of Guerrero
- Gabriel Miguel García Ramírez
- Gilberto Roldan Quezada
- Guillermo Pérez
- Héctor Lopez Santos
- Hernández y Asociés/Hernandez & Associates
- Hidelberto Martínez Hipólito
- Hipócrates Nolasco Cancino
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- Ignacio Parada
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- Isaías Martínez Juan
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- José Domingo Orozco Valdivieso
- José m. Castro
- José Manuel Lorenzo O.
- José Morales Bello
- José Orlando Morales Uribe
- José Ruiz Ramírez
- José Santiago Navarro
- José Simental Díaz
- Juan Ángel Benecio González
- Juan Morales García
- Julio César Aguirre Méndez
- Julio Gómez Sánchez
- Julio Santiago Ortiz
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- Leonel Hernández Manzano
- Liborio Caballero Caballero
- Lucio Morales López
- Luis Carmelo Vasques
- Manuel Ortiz Cedillo
- Mario Calzada G.

- Mario Espíritu Valenzo
- Mario Lopez Hernandez
- Mario Lorenzo Pineda
- Martin Salas Olivas
- Mezcal 3 Pueblos
- Mezcal 8 Víboras
- Mezcal a Medios Chiles
- Mezcal Aeternum
- Mezcal Agave De Cortes
- Mezcal Alipus
- Mezcal Alto Cielo
- Mezcal Amaxak
- Mezcal Apaluz
- Mezcal Arrebato
- Mezcal Atemporal
- Mezcal Atenco
- Mezcal Avecanor
- Mezcal Benesin
- Mezcal Benevá
- Mezcal Bosscal
- Mezcal Bruxo
- Mezcal Buen Suceso
- Mezcal Buen Viaje
- Mezcal Casco Legendario
- Mezcal Cha
- Mezcal Cinco Diamantes
- Mezcal Convite
- Mezcal Coralillo
- Mezcal De Las Hormigas
- Mezcal del Bueno
- Mezcal Derrumbes
- Mezcal Diamante del Desierto
- Mezcal Diestro Y Siniestro
- Mezcal Dios Niño
- Mezcal Discípulo
- Mezcal Don Aurelio
- Mezcal Don Galo
- Mezcal Don Isaac
- Mezcal Don Juan Escobar
- Mezcal Don Lucio
- Mezcal Don Mateo de la Sierra
- Mezcal Don Salomón
- Mezcal Don Silverio

- Mezcal Doña Natalia
- Mezcal El Andador
- Mezcal El Cura
- Mezcal El Diablito
- Mezcal El Discípulo
- Mezcal El Famoso
- Mezcal El Jolgorio
- Mezcal El Malpaís
- Mezcal El Palmillo
- Mezcal El Peneque
- Mezcal El Rey Zapoteco
- Mezcal El Silencio
- Mezcal Espíritu Lauro
- Mezcal Espíritus Mexicanos
- Mezcal Eterno
- Mezcal Felino
- Mezcal Fortuna
- Mezcal Gracias a Dios
- Mezcal Grand Mezcal La Escondida
- Mezcal Gu L Roo
- Mezcal Guelaxu
- Mezcal Hacienda de Robles
- Mezcal Hacienda del Teul
- Mezcal Herejía
- Mezcal Herencia De Sanchez
- Mezcal Huracán
- Mezcal Ibá
- Mezcal Indocumentado
- Mezcal Jacarandoso
- Mezcal Kilometro 70
- Mezcal Koch
- Mezcal La Botica De La Condesa
- Mezcal La Costumbre
- Mezcal La Medida
- Mezcal La Palabra
- Mezcal La Puritita Verdad
- Mezcal La Venia
- Mezcal Las Delirantes
- Mezcal Las Garrafas
- Mezcal Las Tonas
- Mezcal Los Ajenos
- Mezcal Los Ancestros
- Mezcal Los Danzantes



- Mezcal Los Javis
- Mezcal M De Mezcal
- Mezcal Machetazo
- Mezcal Machos
- Mezcal Maguey Azul
- Mezcal Mano Negra
- Mezcal Matateco
- Mezcal Mayalen
- Mezcal Memorable
- Mezcal Mercenario
- Mezcal Meteoro
- Mezcal Mezcalin
- Mezcal Monte Albán
- Mezcal Murciélago
- Mezcal Nauyaca
- Mezcal Nuestra Soledad
- Mezcal Nueve Cinco
- Mezcal Palomo
- Mezcal Pasito Duranguense
- Mezcal Pelotón De La Muerte
- Mezcal Pierde Almas
- Mezcal Quiéreme Mucho
- Mezcal Quiquiriqui
- Mezcal Real Matlatl
- Mezcal Real Minero
- Mezcal Reina Mía
- Mezcal Reserva De Don Chuy
- Mezcal Reserva De Tío Pablo
- Mezcal Reserva Del Murciélago
- Mezcal Rey Campero
- Mezcal Rojas
- Mezcal Rosalino
- Mezcal Sacacuento
- Mezcal San Cosme
- Mezcal Santa Pedrera
- Mezcal Santa Tierra
- Mezcal Sanzekan
- Mezcal Secretos De Yegole
- Mezcal Shawi
- Mezcal Sinai
- Mezcal Siré
- Mezcal Tecuán
- Mezcal Tehilito

- Mezcal Tlacuache
- Mezcal Tribal
- Mezcal Vago
- Mezcal Wahaka
- Mezcal Yuu Baal
- Mezcal Zacbe
- Mezcal Zaguii
- Mezcal Zauco
- Mezcal Zignum
- Mezcalería 1063 Doce Caña
- Mezcales El Viejo Manuelon S.P.R. de R.L.
- Mezcales Hatuey
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- Productos De Maguey Los Cuartos/Los Cuartos Maguey Products
- Ramiro Ávila Vásquez
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- Real De Jalpa
- Redprommeg
- Rio Solteco A.C.
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- Rodolfo Lopez Sosa
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- Rosalino Cortez Sosa
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- Rufino Grijalva Hernandez
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- Universidad Autónoma Chapingo/Autonomous Chapingo University
- Universidad Autónoma de Guerrero/Autonomous University of Guerrero
- Uriel Simental Enríquez

When this Official Mexican Norm goes into effect, NOM-070-SCFI-1994, published in the Official Diary of the Federation on June 12, 1997, will be cancelled.

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#### **Introduction**

This Official Mexican Norm refers to the Denomination of Origin Mezcal, whose title belongs to the Mexican State under the terms contained in the Law of Industrial Property. The issuance of this Official Mexican Norm according to the second condition of the Resolution by means of which the proposed protection is awarded to the denomination of origin Mezcal, which will be applied to the alcoholic beverage of the same name, published on November 28, 1994, as well as in its subsequent modifications, together with Article 40, sections I & XV of the Federal Law on Measurements and Standardization.

#### **1. Objective & field of application**

##### **1.1 Objective**

This Official Mexican Norm establishes the characteristics and specifications that the alcoholic beverage denominated Mezcal must satisfy in its production, bottling and commercialization.

### **1.2 Field of application**

This Official Mexican Norm applies to the production and bottling of Mezcal in all of the geographic area covered by the Resolution (See 2.9), as well as its commercialization within national territory as well as when it is an export product.

## **2. Normative references**

The following currently valid documents, or those which substitute for them, are indispensable for the application of this Norm:

**2.1 NOM-030-SCFI-2006** The commercial information regarding quantity in Specifications for Labeling, published in the Official Diary of the Federation on November 6, 2006.

**2.2 NOM-142-SSA1/SCFI-2014** Alcoholic beverages. Sanitary specifications. Sanitary and commercial labeling, published on the Official Diary of the Federation on March 23, 2015.

**2.3 NOM-251-SSA1-2009** Hygienic practices for the processing of foods, drinks and dietary supplements, published in the Official Diary of the Federation on March 1, 2010.

**2.4 NMX-V-004-NORMEX-2013** Alcoholic Beverages – Determination of furfural – Laboratory Test Methods. Declaration of effective validity published in the Official Diary of the Federation on January 23, 2014.

**2.5 NMX-V-005-NORMEX-2014** Alcoholic Beverages – Determination of aldehydes, esters, methanol and higher alcohols – Laboratory Test Methods. Declaration of effective validity published in the Official Diary of the Federation on January 23, 2014.

**2.6 NMX-V-013-NORMEX-2013** Alcoholic Beverages – Determination of alcoholic content (percent of alcohol by volume at 293 K/20C) – Laboratory Test Methods. Declaration of effective validity published in the Official Diary of the Federation on January 23, 2014.

**2.7 NMX-V-017-NORMEX-2014** Alcoholic Beverages – Determination of dry extract and ashes – Laboratory Test Methods. Declaration of effective validity published in the Official Diary of the Federation on March 31, 2015.

**2.8 NMX-V-050-NORMEX-2010** Alcoholic Beverages – Determination of metals such as copper (Cu), lead (Pb), Arsenic (As), zinc (Zn), iron (Fe), calcium (Ca), mercury (Hg), cadmium (Cd) by atomic absorption – Laboratory Test Methods. Declaration of effective validity published in the Official Diary of the Federation on February 22, 2011.

**2.9** Resolution by means of which the protection contemplated by the denomination of origin Mezcal was awarded in order to be applied to the alcoholic beverage by the same name, published in the Official Diary of the Federation on November 28, 1994, as well as its subsequent modifications.

**2.10** Agreement which determines the additives and coadjutants in foods, drinks and dietary supplements as regards their use and sanitary dispositions, issued by the Health Secretariat, published in the Official Diary of the Federation on July 16, 2012, and its subsequent modifications.

## **3. Terms, definitions and abbreviated terms**

For the purposes of this Official Mexican Norm, the following terms, definitions and abbreviated terms apply:

### **3.1 proprietary vendor or licensee of the brand**

The proprietor or licensee of the brand who has authorization from the evaluating organism and complies with the regulations for acquisition, storage, distribution and commercialization of the distilled alcoholic beverage denominated Mezcal as stipulated in the terms of this Official Mexican Norm.

### **3.2 final consumer**

The physical person who acquires or enjoys the product as the final receptor for personal consumption, without acquiring it to incorporate it in any further legitimate production or transformation process.

### **3.3 DGN**

General Office of Norms

### **3.4 DOM**

Denomination of Origin Mezcal

### **3.5 bottler**

The physical or moral person, possibly being different than the Mezcal producer, who has the certification of the evaluating organism and agrees to conform in carrying out the bottling of Mezcal.

### **3.6 label**

Any label, tag, inscription, image or other graphic or descriptive material, whether written, printed, stenciled, marked, engraved in low or high relief that is glued, overlaid or attached to the bottle of the product.

### **3.7 geophysical reference**

Satellite identification of the geographic location of the lands where the registered agave plants are located.

### **3.8 maguey or agave guide**

A document issued by the Conformity Evaluation Organism to the one who transports the maguey or agave from the registered field and the place where the Mezcal is produced.

### **3.9 IMPI**

Mexican Institute of Industrial Property

### **3.10 ingredient**

Any substance or product, including additives, which is used in the production of Mezcal and is present in the final product, whether transformed or not, as permitted in the corresponding document issued by the Secretariat of Health (See 2.10).

### **3.11 LFMN**

Federal Law on Measurements and Standardization

### **3.12 plainly legible**

That which is carried out considering normal lighting conditions.

### **3.13 lot**

The quantity of product which is produced in one single production cycle, made up of homogeneous, identified units with a specific code.

### **3.14 maguey or agave**

Any species of the genus Agave.

### **3.15 mature maguey or agave**

That which has attained its physiological maturity, as can be seen by the thinning of the heart and/or the growth of the qurote or inflorescence.

### **3.16 brand**

That which has been defined by Article 88 of the Law of Industrial Property and which has a valid registry as a mixed, nominative or tridimensional brand before the Mexican Institute of Industrial Property in Category 33. In the case of tridimensional brands, they must be accompanied by the distinctive nominative or mixed signs that are registered before said institute.

**NOTE:** In case there are conflicts of brands, they must be resolved in terms of the Law of Industrial Property.

### **3.17. Mezcal**

A distilled Mexican alcoholic beverage, 100% maguey or agave, obtained through the distillation of fermented juices with both spontaneous and cultivated micro-organisms, extracted from the cooked mature heads of magueys or agaves that have been harvested within the territory covered by the Resolution (See 2.9).

It is a liquid whose aroma and flavor are derived from the species of maguey or agave used, as well as the process of elaboration, its properties being further diversified by the type of soil, topography, climate, water, authorized producer, Mezcal Master, alcoholic concentration, micro-organisms, among other factors that influence the complex sensorial impressions by each Mezcal.

Mezcal may have sweeteners, coloring agents, fragrances and/or flavorings as additives as permitted by the corresponding Agreement of the Secretariat of Health (See 2.10).

### **3.18 NOM**

Official Mexican Norm

### **3.19 authorized producer**

The physical or moral person who has authorization from the Mexican Institute of Industrial Property and the General Office of Norms of the Secretariat of Economy, based upon a previous decision from the conformity evaluating organism and according to its respective attributions to undertake the task of producing Mezcal within its installations. Said installations must be located within the territory covered by the Resolution (See 2.9).

### **3.20 OEC**

Conformity Evaluating Organism

### **3.21 conformity evaluating organism**

The entity accredited as a certification organism, verification unit or testing laboratory, as the case may be, by an accrediting entity in order to determine the fulfillment of this Official Mexican Norm in accordance with that which is stipulated in the Federal Law on Measurements and Standardization, as well as conformity with its own Regulations.

### **3.22 certification seal**

The distinguishing label which is proof of the certification of the Mezcal. It is a hologram whose design includes the corporate image, the logo of the conformity evaluating organism and a unique numerical code for each bottle. The hologram is provided to the Bottler by the conformity evaluating organism once it has been demonstrated that the product to be bottled complies with this Official Mexican Norm and with the procedures for the evaluation of conformity.

### **3.23 main exhibition surface**

The area where the denomination and the commercial brand of the product is to be found. **NOTE:** This is determined according to the first inset 4.3 of the NOM-030-SCFI-2006 (See 2.1).

### **3.24 traceability**

The series of systematized technical and administrative activities which make it possible to follow the processes of a product until it reaches the final consumer with the clear identification of each stage to leave a clear evidence trail.

### 3.25 logistical traceability

The capacity to follow the movement of the product throughout the stages of its production, transformation and distribution.

### 3.26 RFC

Federal Registry of Contributors (a tax-identification number: Tr.)

### 4.1 Raw material for the production of Mezcal

Wild or cultivated magueys or agaves whose biological development has taken place in the geographic area covered by the resolution are permitted (See. 2.9), and its extraction is permitted by the competent authorities according to the applicable laws (See 11).

The magueys or agaves, along with the fields from which they proceed, must be registered and geo-referenced before the OEC. The magueys or agaves must be mature in order to be harvested.

The maguey guide must be used in the transport of the raw material from a registered field to an authorized producer of Mezcal.

### 4.2 Categories

According to the specific processes used in the cooking of the agave/maguey, milling, fermentation and distillation, three categories of Mezcal can be obtained (See Table 1):

**Table 1 – Categories of Mezcal**

Mezcal
Artisanal Mezcal
Ancestral Mezcal

### 4.3 Physiochemical specifications

Mezcal must comply with the following specifications (See Table 2):

**Table 2 – Physiochemical specifications**

Specifications	Units	Min.	Max.	Applicable norm
Vol. of Alcohol at 20° C	% Alc./Vol.	35	55	NMX-V-030-NORMEX-2013 (See 2.6)
Dry Extract	g/L of Mezcal	0	10	NMX-V-017-NORMEX-2014 (See 2.7)
Higher Alcohols	mg/11 mL of anhydrous alcohol	100	500	NMX-V-050-NORMEX-2013 (See 2.5)
Methanol	mg/100 mL of anhydrous alcohol	30	300	NMX-V-005-NORMEX-2013 (See 2.5)
Furfural	mg/100mL of anhydrous alcohol	0	5	NMX-V-004-NORMEX-2013 (See 2.4)

Aldehydes	mg/L	-	0.5	NMX-005-NORMEX-2010 (See 2.8)
Lead (Pb)	mg/L	-	0.5	NMX-050-NORMEX-2010 (See 2.8)
Arsenic (As)	mg/L	-	0.5	NMX-050-NORMEX-2010 (See 2.8)

#### 4.4 Mezcal production process

The production of Mezcal must comply with at least the following four stages and equipment:

- a) **Cooking:** the cooking of the maguey heads of juices can be done in underground ovens, stone basins or an autoclave.
- b) **Milling:** tahona (hollowed out log: Tr.), Chilean or Egyptian mill, millstone, shredder, continuous serial mill, diffuser.
- c) **Fermentation:** containers may be wood, stone tanks or tanks made of stainless steel.
- d) **Distillation:** stills, continuous distillation or coils made of copper or stainless steel.

##### 4.4.2 Artisanal Mezcal

Its elaboration must comply with at least the following four stages and equipment:

- a) **Cooking:** cooking of the maguey heads or agave excavated cooking pits or elevated stone basins.
- b) **Milling:** with mauls, tahona, Chilean or Egyptian mills, millstone or shredder.
- c) **Fermentation:** cavities in stone, soil or tree trunks, stone basins, animal skins or containers made of wood or clay, and the process may include the bagazo or maguey/agave fibers.
- d) **Distillation:** With direct flame in tank stills made of copper or clay and with coils made of clay, copper, wood or stainless steel. The process may include the bagazo or agave/maguey fiber.

##### 4.4.3 Ancestral Mezcal

Its production must comply with at least the following four stages and equipment:

- a) **Cooking:** agave/maguey heads are cooked in stone pits.
- b) **Milling:** with mauls, tahona, Egyptian or Chilean mills.
- c) **Fermentation:** in hollowed-out stone, soil or tree trunks, stone basins, animal skins or containers made of wood or clay. The process may include the bagazo or fibers of agave/maguey.
- d) **Distillation:** with direct flame in a clay pot and with coils made of clay or wood. The process may include bagazo or agave/maguey fiber.

#### 4.5 Classes of Mezcal

##### a) White or Young

Colorless, translucent Mezcal that has not been subject to any posterior processing.

##### b) Matured in Glass



Mezcal that has been stabilized in a glass container for more than 12 months, either underground or in an area with minimum variations in luminosity, temperature and humidity.

**c) Reposed**

Mezcal that must remain between 2 and 12 months in wooden containers of proven inoffensiveness, without any further restrictions as to size, shape or capacity in liters of the containers, but in an area with minimum variations of luminosity, temperature and humidity.

**d) Aged**

Mezcal that must be aged in wooden containers of guaranteed inoffensiveness and of a size of less than 1,000 L for more than 12 months in an area with minimum variations of luminosity, temperature and humidity.

**e) Flavored with**

Mezcal to which ingredients have been directly incorporated in order to add flavors. Such ingredients as maguey worms, damiana, lime, honey, orange, and mango, among others, have been used as long as they have been authorized by the corresponding Agreement of the Secretariat of Health (See 2.10), as well as NOM-142-SSA1/SCFI-2014 (See 2.2).

**f) Distilled with**

Mezcal that must be distilled with other ingredients to incorporate flavors. These may include chicken or turkey breast, rabbit, "mole" paste, plums or cherries, among others, in terms of this Official Mexican Norm.

**NOTE:** Mixing of Mezcal is permitted only with Mezcal of the same category and class.

## 5. Bottling

In order to bottle the alcoholic beverage denominated Mezcal, it is necessary to have the authorization of the OEC. When a given bottler carries out the bottling of products that are different than Mezcal, it must have differentiated bottling lines previously authorized by the OEC, assuring that the Mezcal will not come into contact with the lines, containers or infrastructure that might serve for the processing, transport or storage of any other drink or alcoholic product.

That Mezcal which fulfills the requirements of TABLE 2 (See Table 2) may only be bottled as Young or White class, as long as it has not received any adjustment of its alcoholic content. In the event of said adjustment, it must be subjected to a further analysis of only its % Alc. Vol. in terms of the specifications of TABLE 2 (See Table 2).

For the classes included in the primary section 4.5 of this Official Mexican Norm, an analysis must be carried out prior to bottling to demonstrate that it complies with all of the parameters established in TABLE 2 (See Table 2).

Only for the case of *Mezcal Flavored with...* a maximum of 60g/L is permitted in the parameter of dry extract in conformity with NMX-V-017-NORMEX-2014 (see 2.7)

The finished product must be bottled by manual or mechanical means in containers that are in conformity with NOM-142-SSA1/SCFI-2014 (see 2.7) and must comply with at least four stages:

- a) filtration of the finished product. A filter must be used to capture any solids,
- b) filling,
- c) capping,
- d) sealing.

## 6. Labeling

Prior to the beginning of the evaluation process, the interested party must get the document which proves compliance with that set forth in this chapter from the OEC.

The bottle must have a label whose information must be legible and in plain sight. Upper case and lower case letters may be used freely, except in those cases where this Official Mexican Norm or other judicial instruments set forth otherwise.

The information expressed on the labels must be true, provable and free of texts, phrases, images, brands and other descriptions that induce or might induce error or confusion due to their trickiness or abusiveness. They must be free of denominations, captions, commercial names, classes and categories associated with or that correspond directly to other alcoholic beverages.

For the purposes of this Official Mexican Norm, deceptive or abusive information will be understood to refer to attributes or information that, whether or not it is true, might induce error or confusion to the consumer because of the inexact, false, exaggerated, partial, artificial or argumentative way it is presented.

When the Mezcal has any declaration or certification issued by a personality that is other than the OEC that identifies it with qualities or characteristics no covered by this Official Mexican Norm, it must have written approval from the OEC in order to include it on the label.

### 6.1. Labeling for national sale

- a) The brand on the main exhibition surface.
- b) The words “Mezcal”, “Mezcal Artesanal” or “Mezcal Ancestral” according to its category on the main exhibition surface, it being necessary to include only one of the above terms and in such a way that it is isolated from the brand that distinguishes the product.
- c) The words “Young” or “White”, “Matured in Glass”, “Reposed”, “Aged”, “Flavored with” or “Distilled with” according to its class, on the main exhibition surface, using only one of them and in such a way that it is isolated from the brand name that distinguishes the product.
- d) Only in the case of Mezcal Matured in Glass and Aged Mezcal, the time of maturation or aging in terms of whole numbers to express the years must be shown on the main exhibition surface.
- e) The words “100% Maguey” or “100% Agave” on the main exhibition surface.
- f) The net contents on the main exhibition surface, as established in NOM-030-SCFI-2006 (See 2.1).
- g) Percent alcohol at 20° C on the main exhibition surface, being in plain sight and abbreviated to “% Alc. Vol.”
- h) The traditional or scientific name of the maguey or agave used.
- i) In the case of having used two or more species of magueys or agaves, they must be listed in decreasing quantitative order.
- j) The caption: PROTECTED DENOMINATION OF ORIGIN in all capital letters at least 3 mm in size.
- k) The name of the state of the Mexican Republic where the Mezcal was produced.
- l) The name, business name, fiscal domicile and R.F.C. (tax-identification number: Tr.) of the producer, authorized bottler or titular vendor.
- m) Each bottle must have either engraved or marked in some way the identification of the lot to which it belongs, in order to permit tracing it, and this must appear on the label.

It may be handwritten as long as it is clearly legible, visible and indelible for the consumer. Likewise, for its identification, section 9.3.4.3 of the NOM-142-SSA1/SCFI-2014 applies. (See 2.2).

**n)** The words **Made in Mexico** or **Product of Mexico**, or any graphic representation of its origin are optional.

## 6.2 Labeling for exportation

Aside from complying with the requirements imposed by the country to which it is exported, it must include:

- a)** The brand on the main exhibition surface.
- b)** The words: “Mezcal”, “Artisanal Mezcal” or “Ancestral Mezcal” according to its category on the main exhibition surface, it being necessary to include only one of them and in such a way that it is separate from the registered brand that identifies the product.
- c)** The words “Young” or “White”, “Matured in Glass”, “Reposed”, “Aged”, “Flavored with” or “Distilled with” according to its class, on the3 main exhibition surface, using exclusively one of them and in a way that is separate from the registered brand that identifies the product. This information can be translated to the language of the country where the product is to be sold.
- d)** Only for the case of Mezcal Matured in Glass and Aged Mezcal, the time of maturing or aging must be shown in terms of the years fulfilled, using only whole numbers on the main exhibition surface. This information may be translated to the language of the country where the product is to be sold.
- e)** The caption: “100% Maguey” or “100% Agave” on the main exhibition surface.
- f)** The scientific name or the common traditional name of the maguey or agave used must be indicated on the label.
- g)** In the case of two or more species of maguey or agave having been used, they must be listed in decreasing quantitative order.
- h)** The words: PROTECTED DENOMINATION OF ORIGIN, in all capital letters and at least 3mm in size on the main exhibition surface. This information may be translated to the language of the country where the product is to be sold.
- i)** The name of the state of the Mexican Republic where the mezcal was produced.
- j)** Name, corporate name, fiscal domicile and R.F.C. (Federal Taxpayer Registry number: Tr.) of the authorized producer, bottler or vendor.
- k)** Each bottle must have a lot number to which it belongs engraved or marked on it in order to permit tracing. It may be either on the bottle itself or on the label. Handwritten lot numbers are permitted, but they must be clearly legible, visible and indelible for the consumer.
- l)** The words **Made in Mexico** or **Product of Mexico** or a graphic representation to show its origin must appear on the main exhibition surface. This information may be translated to the language of the country where the product is to be sold.

## 7. Sale

The volumetric presentation for the final consumer must be done in containers with a maximum capacity of 5 L, whether it be for national or international sale.

The bottle must have the Certification Seal. This must be placed so that it covers part of the main exhibition surface of the label and part of the bottle itself. In any case, it must be authorized by the OEC.

Any alcoholic beverage which uses Mezcal as an ingredient in its preparation must obtain a certificate of compliance according to that which is set out in the Official Mexican Norm.

Any other product which states that it uses Mezcal as one of its ingredients must prove the truth of said claim before the OEC.

**NOTE:** The criteria to award the certificate for the exportation of Mezcal will be carried out in conformity with Article 80, section III of the LFMN and Article 91 of its Regulations.

### **8. Evaluation of conformity**

The evaluation of conformity will be carried out by the accredited and approved agent (OEC) in terms of the LFMN, without impairment of the faculties of verification and vigilance of the competent authorities.

**NOTE:** The OEC, in charge of evaluating the Mexican Norms as it relates to the methods of proof contained in this Norm, must be accredited, and in due course, approved.

Any person who requires the evaluation of conformity in terms of this Official Mexican Norm must carry it out by means of the accredited and approved agent (OEC) in terms of the LFMN.

The OEC must evaluate:

- a) That the Mezcal complies with the specifications of this NOM.
- b) That the bottler complied with the specifications of this NOM.
- c) That the entitled vendor or licensee of the brand has the documents and the warehouse(s) to be able to market Mezcal.

The authorized producer must get the authorization for the use of the DOM by the IMPI.

When the bottler and the entitled vendor or licensee of the brand are different than the Producer, they must celebrate agreements of co-responsibility and register them before the IMPI to make use of the DOM of an authorized producer.

The authorized producer, bottler and entitled vendor or licensee of the brand of Mezcal must contract the services of the OEC in order to receive the evaluation of conformity.

The authorized producer must demonstrate by means of the certification that its product is authentic, and in order to do that, must keep a log, which for said purposes shall be provided to the OEC. Said log shall keep a registry of the equipment used in the process, the origin of the raw materials, the rest of the materials used, an inventory of Mezcal, the laboratory analyses and the destination of the Mezcal, among other operations and judicially valid information that is determined by the OEC.

In order to be certified, the bottler must maintain a log, which shall be provided to the OEC for said purpose. The log must have a registry of the equipment used in the process, the origin of the bulk Mezcal, the laboratory analyses and the destination of the bottled Mezcal, among other operations and judicially valid information that is determined by the OEC.

The entitled vendor or licensee of the brand must maintain a log, which shall be provided to the OEC for said purpose. The log must have a registry of the origin of the bottled Mezcal, inventories, laboratory analyses and the destination of the Mezcal to be sold, among other operations and judicially valid information that is determined by the OEC.

The proof of that which is established in this Official Mexican Norm will be carried out by means of permanent inspections by the OEC that will be contracted to supervise said process, independently of any corroboration by any competent authority or accredited verification unit. This requirement will be fulfilled by means of the uninterrupted use of systems of random inspections previously approved by the DGN.

### **9. Vigilance**

The vigilance of the fulfillment of that which is established in the Official Mexican Norm is the responsibility of the Secretariat of the Economy and the office of the Federal Prosecutor for the Consumer, according to their respective attributes and following that which is set forth in the LFMN and its Regulations.

If any competent authority or the OEC detect the non-compliance with any element of the Official Mexican Norm on the part of any member of the productive, industrial or commercial chain, it will proceed to the application of measures of pressure, warnings, and if necessary, sanctions that correspond to conformity with Article 112 of the LFMN.

### **10. Concordance with International Norms**

This Official Mexican Norm is not equivalent (NEQ) with any international norm, since there did not exist any at the time of its elaboration.

### **11. Bibliography**

- Federal Law on Measurements and Standardization, published in the Official Diary of the Federation on July 1, 1992 and its reforms.
- Law of Industrial Property, published in the Official Diary of the Federation on June 27, 1991 and its reforms.
- Resolution by which the protection provided to the denomination of origin Mezcal was conferred, in order to be applied to the alcoholic beverage of the same name, published in the Official Diary of the Federation on November 28, 1994 and its subsequent modifications.
- General Law of Sustainable Forestry Development, published in the Official Diary of the Federation on February 25, 2003 and its reforms.
- General Law of Ecological Equilibrium and Protection of the Environment, published in the Official Diary of the Federation on January 28, 1988 and its reforms.
- General Law of Wildlife, published in the Official Diary of the Federation on July 3, 2000 and its reforms.

## **TRANSITORY POINTS**

**First:** This Official Mexican Norm will take effect 60 natural days, counted starting on the day after its publication in the Official Diary of the Federation.

**Second:** Except for that which is established in the First Transitory Point, Chapter 6 and its various sections will take effect 365 natural days after this Official Mexican Norm takes effect.

**Third:** The producers of the beverage which is defined in the point number 5.1.2 of the NOM-070-SCFI-1994, Alcoholic Beverages. Mezcal. Specifications, may continue with its fabrication for a period of 4 years from the point that this norm takes effect, as long as they follow that which is stipulated in point number 8 of this norm.

For said products, their label must express “MEZCAL 80/20” or “TYPE II MEZCAL” and fulfill that which is stipulated in the first section 6.1 a), f) and g) of this norm. They may include whether it is aged, matured, young or reposed. They may not include any of the categories enumerated in the first section 4.2 of this norm.

**Fourth:** The currently authorized bottlers who have the corresponding document issued by the OEC may continue with their activities with no prejudice according to that which is stipulated by this Official Mexican Norm.

**Fifth:** This Official Mexican Norm cancels the NOM-070-SCFI-1994 published in the Official Diary of the Federation on June 12, 1997, once it takes effect.

**Sixth:** For the case of those Brands not registered before the IMPI, but which can demonstrate by means of applications for export that they have carried out at least ten exportations prior to the taking effect of this Official Mexican Norm, it will not be necessary to comply with the first section 6.2 a), in relation to definition 3.16.

The foregoing will be without any prejudice whatever that whosoever might have a legitimate interest in said brand might initiate its registry before the IMPI those legal actions that it considers convenient before the competent authorities.

City of Mexico, August 18, 2016.- The General Director of Norms and President of the National Consulting Committee on Standardization of the Secretariat of the Economy:  
**Alberto Ulises Esteban Marina.**

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I hereby affirm that the foregoing is a true and accurate translation from Spanish to English, done to the best of my knowledge of both languages and ability as a translator, and working directly from a document entrusted to me by the OEC.

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**Prof. Robert A. Fredericks – MA/TESOL**

**May 3, 2017**