

DOF: 01/07/2020

DECREE by which the Quality Infrastructure Law is issued and the Federal Law on Metrology and Standardization is repealed.

In the margin a stamp with the National Shield, which says: United Mexican States.- Presidency of the Republic.

ANDRÉS MANUEL LÓPEZ OBRADOR, President of the United Mexican States, to its inhabitants know:

That the Honorable Congress of the Union has served to address the following

DECREE

" THE GENERAL CONGRESS OF THE UNITED MEXICAN STATES, DECREES:

THE QUALITY INFRASTRUCTURE LAW IS ISSUED AND THE FEDERAL LAW ON METROLOGY AND STANDARDIZATION IS REPEALED.

Sole Article. The Quality Infrastructure Law is issued to read as follows:

BOOK FIRST

OF THE NATIONAL QUALITY INFRASTRUCTURE SYSTEM

FIRST TITLE

PRELIMINARY PROVISIONS

Chapter I

Purpose of the Law and Powers of the Authorities

Article 1. This Law is of public order and social interest and its provisions are of general and obligatory observance throughout the national territory, without prejudice to the provisions of international treaties to which the United Mexican States are party. The purpose of this Law is to establish and develop the bases of industrial policy within the framework of the National System of Quality Infrastructure, through the activities of normalization, standardization, accreditation, Conformity Assessment and metrology, promoting economic development and quality in the production of goods and services, in order to expand productive capacity and continuous improvement in value chains, promote international trade and protect the legitimate public interest objectives set forth in this law. Likewise, this Law aims to:

I. Promote the concurrence of the public, social and private sectors in the elaboration and observance of the Official Mexican Norms and Standards;

II. Establish coordination and collaboration mechanisms in the field of standardization, Conformity Assessment and metrology between the Standardizing Authorities, the National Metrology Center, the Designated Metrology Institutes, accreditation bodies and conformity assessment bodies, local entities and municipal, as well as the social and private sectors;

III. Promote technological innovation in goods, products, processes and services to improve the quality of life of people throughout the national territory;

IV. Promote the creation of greater physical and digital infrastructure for the proper development of Conformity Assessment activities;

V. In the field of metrology, establish and maintain the General System of Measurement Units, create the Designated Metrology Institutes, and establish what refers to scientific metrology, legal metrology and applied or industry metrology, and

VI. Promote and disseminate the activities of normalization, standardization, accreditation, Conformity Assessment and metrology.

Article 2. The Secretariat leads public policy actions to strengthen the National System of Quality Infrastructure. In addition to the powers expressly conferred in this Law and its Regulations, the Secretariat has the following powers:

I. Formulate public policies that promote and facilitate the knowledge and modernization of normalization, standardization, accreditation, conformity assessment and metrology, as well as the benefits of these activities, in addition to promoting the culture of compliance with Official Mexican Standards, the International Standards and Norms;

II. Coordinate standardization and conformity assessment activities among the members of the National System of Quality Infrastructure, trying to ensure that the uniformity of processes, criteria and schemes in the application of the Law prevails;

III. Coordinate with the other Standardizing Authorities to generate incentives for the promotion and compliance with the Official Mexican Standards and International Standards;

IV. Design and coordinate programs to promote the quality of the goods, products, processes and services marketed in the national territory;

V. Preside over the Commission and serve as its Executive Secretariat;

VI. Participate in the work carried out by the National Advisory Committees for Standardization of the Standardizing Authorities, as well as in the International Committees of the organizations in the matters regulated by this Law;

VII. Execute through the Commission's Executive Secretariat its resolutions, as well as interpret them for administrative purposes, seeking to optimize the harmonious operation of the National System of Quality Infrastructure;

VIII. Conduct the integration of the Program through the Executive Secretariat of the Commission;

IX. Preside, coordinate and represent the Mexican Committees, in matters of normalization, standardization and Conformity Assessment, and represent the country in all events or related matters at the international level, without prejudice to the fact that in said representation and according to its attributions other competent agencies and entities, in coordination with the Secretariat itself, as well as representatives of public and private organizations;

X. Make the agreements of equivalence, with the participation that corresponds to the authorities normalizing according to their competence. Likewise, to conclude within the scope of its competence the mutual recognition agreements or to approve the celebration of those agreements or arrangements by other Standardizing Authorities, Accreditation Entities or Conformity Assessment Bodies, as appropriate;

XI. Disseminate equivalence agreements and mutual recognition agreements;

XII. Participate within the scope of its competence, as well as comment on the elaboration of International Standards;

XIII. Notify the corresponding international organizations of the Mexican Official Norms, the Standards and the draft of the Official Mexican Norms, as well as the conformity assessment procedures, in accordance with the international agreements and treaties to which the United Mexican States is a party, for which which, the Standardizing Authorities must provide the Secretariat with the necessary information;

XIV. Create and make available to the members of the National System of Quality Infrastructure and the general public the Integrated Technological Platform for Quality Infrastructure;

XV. Systematize all the information on standardization, standardization, Conformity Assessment and metrology, for which the Standardizing Authorities, as well as the other entities and persons involved, must provide the necessary information, and

XVI. Promote and carry out scientific research, technological development and innovation in the field of metrology and thereby advance scientific knowledge for the application of measurements as the basis of innovation in the country.

Article 3. normalizing authorities are obliged to seek public policies that contribute to the modernization of the National System of Quality Infrastructure, to promote adequate quality infrastructure for stimulating the growth of the industry and to the achievement of the various legitimate public interest objectives set forth in this Law. In addition to the powers expressly conferred in this Law and its Regulations, the Standardizing Authorities have the following powers:

I. Promote impartial processes based on technical and scientific evidence, risk analysis and consensus decisions with all sectors interested in activities of normalization, standardization, Conformity Assessment and metrology, to promote the inclusion of all sectors interested in development of normalization and standardization;

II. Use the Comprehensive Technological Platform for Quality Infrastructure in the digitization of normalization, standardization, Conformity Assessment and metrology processes;

III. Share with the Secretariat all the data and information that they have regarding standardization, standardization, Conformity Assessment and metrology;

IV. Agree with educational institutions, associations, professional associations, Chambers and their Confederations, to establish programs and plans of study and training in order to train qualified technicians and professionals and promote the activities referred to in this Law;

The authorities in charge of the national educational system, in the terms indicated by the laws and attending to the characteristics of the types and educational levels, will include in their study programs the teaching of the National System of Quality Infrastructure, as well as the use of the General System of Measurement Units.

V. Coordinate, where appropriate, with other federal, state or municipal agencies and authorities within the scope of its competence;

VI. Contribute to the integration of the Program with the proposals of Official Mexican Norms and Standards within the scope of its competence, as well as execute the corresponding actions to comply with the Program;

VII. Constitute and preside over the National Standardization Consultative Committees, as well as establish and coordinate the subcommittees and working groups;

VIII. Prepare the proposals of the Official Mexican Standards and submit them to the knowledge of the National Standardization Advisory Committees;

IX. Issue Mexican Official Standards in matters related to its powers, determine its effective date and verify compliance;

X. Carry out Verifications to verify that the goods, products, processes and services comply with the Official Mexican Standards of its competence, carry out the Surveillance of Accreditation Entities and Conformity Assessment Bodies, as well as market surveillance. that they are a matter of the Official Mexican Norms of their competition and, where appropriate, of the Standards when appropriate;

XI. Order the suspension or prohibition of the commercialization of goods, products and services, including their immobilization to prevent their commercialization, as well as establish the measures aimed at protecting the consumers or end users of those goods, products and services with respect to the which non-compliance with the Official Mexican Standards have been detected, as a result of a Verification, in accordance with articles 146 and 147 of this Law;

XII. Without prejudice to the provisions of the legislation applicable to each of the Standardizing Authorities, within the scope of their respective powers, to impose any of the sanctions referred to in articles 154, 155 and 156 of this Law;

XIII. Directly carry out the Conformity Assessment in the absence of infrastructure by the Conformity Assessment Bodies;

XIV. Approve the Conformity Assessment Bodies, when required for the purposes of the Conformity Assessment, with respect to the Official Mexican Standards of their competence;

XV. Regarding standardization and Conformity Assessment, participate in all events or related matters at the international level, in coordination with the Secretariat;

XVI. To conclude, within the scope of its competence, mutual recognition agreements and, where appropriate, to issue the corresponding opinion;

XVII. Participate, within the scope of its competence, in the elaboration of International Standards;

XVIII. At the request of the Secretariat, comment on International Standards; and

XIX. Observe and implement the Code of Good Practice for the elaboration, adoption and application of Standards of the Agreement on Technical Barriers to Trade of the World Trade Organization.

Chapter II

Definitions and Principles of this Law

Article 4. For the purposes of this Law, the following definitions shall apply:

I. Accreditation: the recognition issued by an Accreditation Entity which recognizes the technical competence and reliability of the entities to operate as Compliance Assessment Bodies, to carry out the Compliance Assessment.

II. Equivalence agreement: a resolution specifying the conditions by which foreign technical regulations, sanitary or phytosanitary measures, or the results of conformity assessment procedures issued by agencies in the territory of another country are unilaterally or reciprocally

recognized. and that they contemplate at least the same degree of conformity to achieve the legitimate objectives pursued by the appropriate Mexican Official Standards.

III. Mutual recognition agreement; an intergovernmental agreement specifying the conditions by which the results of conformity assessment procedures issued by conformity assessment bodies in the territory of another country that demonstrate compliance with the Standards are mutually recognized. Mexican Officials or appropriate Standards.

IV. Approval: the act by which a Standardizing Authority recognizes the Conformity Assessment Bodies that have obtained the Accreditation, to carry out the Conformity Assessment related to Official Mexican Norms, Standards, International Norms referred to there or other legal provisions.

V. Mutual Recognition Arrangement or Multilateral Recognition Arrangement: An international or regional arrangement between accreditation bodies, which recognizes the equivalence of accreditation systems based on peer review or between conformity assessment bodies, which recognize the results of said evaluation.

VI. Standardizing Authority: to the competent dependencies or entities of the Federal Public Administration that have express powers or faculties to carry out normalization and standardization activities.

VII. Commission: to the National Commission of Quality Infrastructure.

VIII. Mexican Committees: to the committees created by the Commission at the request of the Secretariat or the Standardizing Authorities for the attention of international standardization organizations. The Mexican Committees must be integrated by the various interested sectors in accordance with the provisions of the Regulations of this Law.

IX. Accreditation Entities: to the legal entities duly authorized by the Secretariat to know, process and resolve the Accreditation requests and, where appropriate, issue the Accreditations in favor of those who intend to operate as Compliance Assessment Bodies.

X. Standard: the technical document that provides for a common and repeated use of rules, specifications, attributes or test methods applicable to a good, product, process or service, as well as those related to terminology, symbology, packaging, marking, labeling or concordances.

XI. Conformity Assessment: the technical process that demonstrates compliance with the Official Mexican Norms, Standards, International Norms referred to therein or other legal provisions. It includes, among others, the procedures for sampling, testing, inspection, evaluation and certification.

XII. Quality Infrastructure: is the set of initiatives, processes, institutions, standardizing authorities, organizations, activities and people that interact with each other. It includes a national quality policy, a regulatory framework and all the interested sectors that aims to provide results that guarantee the legitimate objectives of public interest and promote the development and economic reactivation of the country.

XIII. Inspection: finding ocular or checking by sampling, measurement, testing laboratory or examination of documents is carried out by units of inspection to assess the compliance at a given time at the request of an interested party.

XIV. Legal metrology: deals with verifying the units of measurement, the methods and procedures of measurement, the instruments of measurement and the materialized units that intervene in commercial transactions, protection of health, the environment and public safety.

XV. International Standard: standard approved by an international standardization body that complies with the principles and procedures recognized in international treaties to which the Mexican State is a party.

XVI. Mexican Official Standard: to the technical regulation of compulsory observance issued by the competent Standardizing Authorities whose essential purpose is the promotion of quality for economic development and the protection of the legitimate objectives of public interest provided for in this ordinance, through the establishment of rules, name, specifications or characteristics applicable to a good, product, process or service, as well as those related to terminology, marking or labeling and information. The Official Mexican Norms will be considered as Technical Regulations or Sanitary or Phytosanitary Measures, as framed in the corresponding definitions provided in the international treaties to which the Mexican State is a Party.

XVII. Conformity Assessment Bodies: the person accredited by an Accreditation Entity or, where appropriate, by the Normalizing Authority and, in the case of Official Mexican Norms, Standards, International Norms referred to therein or other legal provisions; In case the accreditation is carried out by

an Accreditation Entity, the Body must be approved by the competent Standardizing Authority, to carry out the Conformity Assessment.

XXVIII. Integral Technological Platform of Quality Infrastructure: to the digital solution where the data, processes, procedures, services and activities of normalization, standardization, Conformity Assessment and metrology will be administered and executed in a systematic way.

XIX. Program: the National Quality Infrastructure Program approved by the Commission.

XX. Conformity Assessment Procedure: the set of specified actions that are intended to verify that the good, product, process or service complies with an Official Mexican Standard or Standard, through the means defined for this purpose in this Law and in its Regulations.

XXI. Secretariat: to the Ministry of Economy.

XXII. National System of Quality Infrastructure: the system that aims to coordinate the authorities of all levels of government in their respective areas of competence, the Standardizing Authorities, the National Metrology Center, the Designated Metrology Institutes, and the Accreditation Bodies, the Conformity Assessment Bodies, the National Standardization Bodies and the subjects empowered to standardize, through regulations, strategies and principles so that the national policy regarding standardization, standardization, and Compliance and metrology, which promotes quality and economic development.

XXIII. General System of Units of Measurement: the system that integrates, among others, with the units of the International System of Units, their names and symbols, including a series of prefixes with their names and symbols, together with rules for their use, adopted by the General Conference of Weights and Measures and that are provided for in Official Mexican Norms and in the Standards referred to in them.

XXIV. Subject empowered to standardize: a legally constituted legal entity that has an interest in the elaboration, modification and cancellation of standards.

XXV. International conformity assessment systems: systems that facilitate the voluntary recognition or acceptance of the results of conformity assessment bodies or accreditation bodies by competent authorities on the basis of compliance with international standards for assessment of conformity.

XXVI. Verification: to the activity carried out by the competent authorities to verify through visits, information requirements or physical or electronic documentation, that the goods, products, processes and services meet or agree with the Official Mexican Norms or Standards, in the latter case, when its application is mandatory in terms of this Law.

XXVII. Surveillance: the act by which the competent authorities review that the activities of the Accreditation Bodies and the Compliance Assessment Bodies are carried out in accordance with the provisions of this Law.

The Secretariat, in coordination with the National Metrology Center, will publish in the Comprehensive Technological Platform for Quality Infrastructure, the complementary terms and definitions that are necessary in relation to this Metrology Law, in accordance with the international parameters that it corresponds and its application will be of general use.

Article 5. The National Quality Infrastructure System is based on the following general principles:

I. Planning. Standardization activities must be aligned with public policies derived from the National Democratic Planning System.

II. Transparency. The processes of elaboration and application of the Official Mexican Norms and Standards must be open and accessible to all economic and social sectors.

III. Integrity. The presence of conflicts of interest in the actions of the Standardizing Authorities, the National Standardization Bodies, the other subjects empowered to standardize, the Accreditation Bodies, the Conformity Assessment Bodies, the National Metrology Center and the Designated Metrology Institutes.

IV. Certainty. The members of the National System of Quality Infrastructure must act in strict adherence to the applicable legal provisions.

V. Efficiency. Resources related to normalization, standardization, Conformity Assessment and metrology activities must be optimized, as well as simplifying the management and execution time processes.

VI. Agility. The procedures in the elaboration, revision and cancellation of Mexican Official Norms and Standards must be carried out promptly and expeditiously, and, in the case of the Mexican Official Norms,

seeking optimal attention to the legitimate objectives of public interest set forth in this Law, thus how to promote technological advances and comply with the purposes of this Law.

VII. Maximum advertising. In the management of the information related to the activities of normalization, standardization, Conformity Assessment and metrology, said information will be accessible to the public and only by exception, in the cases expressly provided for in the applicable legislation may it be classified as confidential or reserved.

VIII. International best practices. The Official Mexican Norms and Standards, including their Conformity Assessment Procedures, that are issued must seek international parameters to generate tangible and measurable effects in terms of promoting compliance with the objectives and purposes set forth in this Law.

IX. Quality. Contribute to the continuous improvement in the production of goods and the provision of services, which increases the competitiveness of the country's economy and its ability to participate in international trade and in production chains that generate value.

X. Consistency. The Official Mexican Norms and Standards will be harmonized with International Norms so as not to create unnecessary technical barriers to trade, as well as not to restrict commercial exchange or internal competition.

XI. Sustainability. Normalization, standardization, accreditation, conformity assessment and metrology activities are based on sustainable development, bearing in mind a positive impact on the country's economic and industrial sectors.

XII. Traceability of measurements. Ensure that the traceability of measurements carried out in the country originates from national measurement standards and certified reference materials, in order to ensure the reliability and uniformity of the measurements, as well as the comparability of the measurements themselves. It requires the establishment of an uninterrupted chain of calibrations with measurement standards and with determined measurement uncertainty.

XIII. Inclusion. When developing normalization, standardization, conformity assessment, accreditation and metrology activities, the members of the National System of Quality Infrastructure must observe the provisions on substantive equality and inclusion to make reasonable adjustments and affirmative actions in favor of People with disabilities.

Chapter III

Application and Interpretation Methods

Article 6. The application, Verification, Surveillance, market surveillance and compliance with this Law corresponds to the Federal Executive through the Secretariat and the Standardizing Authorities that have competence in the matters regulated by this ordinance.

They are auxiliaries of the federal, state and municipal authorities in the areas of their respective competences, for which they will collaborate and grant the necessary facilities in the application and observance of this Law, in terms of the collaboration agreements signed with the Secretariat and normalizing authorities for this purpose.

Likewise, the Accreditation Bodies and the Conformity Assessment Bodies shall assist the Secretariat and the Standardizing Authorities, in the activities provided for in this Law, when required.

Article 7. The authorities and other federal, state and municipal public entities must observe and comply with the Official Mexican Standards applicable to the goods, products, processes and services that they acquire or contract under any assumption.

Article 8. This order is not applicable to matters regulated by the autonomous constitutional bodies provided for in the Political Constitution of the United Mexican States. The regulations issued by them shall endeavor to take into account the principles and procedures contemplated in this Law.

Article 9. The provisions of this Law and its Regulations shall be interpreted, for administrative purposes, by the Federal Executive through the Secretariat, this interpretation being mandatory for all federal authorities and public entities. The foregoing, with the understanding that the Standardizing Authorities will have powers to interpret the scope of the Official Mexican Standards that they issue, exclusively within the scope of their competence. This Law and its Regulations are applicable to the entire process of normalization, standardization, accreditation and conformity assessment, and will prevail over any other provided for in the legislation applicable to the Standardizing Authorities. When in this Law Reference is made to days, business days shall be understood. Unless expressly stated otherwise.

Chapter IV

Legitimate Objectives of Public Interest

Article 10. The Official Mexican Standards are intended to address the causes of the problems identified by the Standardizing Authorities that affect or that put at risk the legitimate objectives of public interest.

For the purposes of this Law, the following are considered legitimate objectives of public interest:

- I. the protection and promotion of health;
- II. protection of the physical integrity, health, and life of workers in the workplace;
- III. protection of organic production, of genetically modified organisms, health and safety of agri-food, aquaculture, fisheries, animals and plants;
- IV. food security;
- V. education and culture;
- VI. tourist services;
- VII. national security;
- VIII. protection of the environment and climate change;
- IX. the use and exploitation of natural resources;
- X. healthy rural and urban development;
- XI. public works and services;
- XII. Road safety
- XIII. protection of the right to information;
- XIV. protection of appellations of origin;
- XV. and any other public need, in terms of the applicable legal provisions.

Likewise, compliance with those indicated in international agreements and treaties signed by the Mexican State is considered a legitimate objective of public interest.

Article 11. The Regulations of this Law will establish the terms in which the complementary elements that must be contained in the regulations that will govern, among others, the standardization for the construction industry, general communication routes, road safety, protection, shall be developed. of the right to information, protection of the environment, food safety and protection of animal and plant health, as well as that related to the promotion and protection of designations of origin.

Regarding the protection of the right to information, the Regulation must consider, among others, the seals or declarations that the goods, products, processes and services marketed in the national territory must display, the use of official passwords considering the provisions of the article. 46 of this Law, as well as commercial, health or other information that must be part of the labeling of a good or product, in protection of the interests of consumers.

Chapter v

International Regime for Standardization and Conformity Assessment

Article 12. The activities carried out by the Standardizing Authorities in the matter of standardization and Evaluation of Conformity and the National Organizations of Standardization and Subjects empowered to standardize shall promote harmonization with international models, principles and best practices. For this purpose, the following must be met:

The Official Mexican Norms, the Standards, including their Conformity Assessment Procedures, must be based on International Norms or pertinent parts of them, unless this is not effective or appropriate to achieve the objectives sought by the Mexican State.

In the case of the Official Mexican Norms that constitute Sanitary or Phytosanitary Measures under the terms of the international treaties to which the Mexican State is a Party, the Standardizing Authorities may only establish a higher level of protection than that which would be achieved through measures based in the International Standards, if there is scientific justification or if it is a consequence of the adequate level of protection in accordance with the respective risk analysis carried out in a manner compatible with the international treaties to which the Mexican State is a Party.

Treatment must be provided no less favorable to imported products than that accorded to similar products of national origin or originating in any other country.

For the specific case of Official Mexican Norms and the Standards related to prescriptions for products, these will be defined based on the properties of use and use and not based on the design or descriptive characteristics.

Article 13. The Secretariat shall keep the list of international standards referred to in section XV of article 4 of this Law updated and available to any interested person, through the Comprehensive Technological Platform for Quality Infrastructure.

Article 14. The Standardizing Authorities will request the Commission to create or eliminate Mexican Committees.

The Commission must approve or reject requests for the creation or elimination of Mexican Committees, in accordance with the requirements and the established procedure.

SECOND TITLE

OF THE INSTALLATIONS IN CHARGE OF STANDARDIZATION

Chapter I

Of the Integration and Organization

Article 15. The bodies responsible for standardization are part of the National System of Quality Infrastructure and are the following:

- I. The Commission;
- II. The Standardizing Authorities, and
- III. The National Standardization Advisory Committees and, where appropriate, their subcommittees and working groups.

Chapter II

From the Commission

First Section

Of its Integration and Powers

Article 16. The Commission is a collegiate body chaired by the head of the Secretariat and is the body responsible for directing and coordinating activities in the areas of normalization, standardization, conformity assessment and metrology.

The Commission is made up of:

I. The holders of the corresponding Undersecretariats of the Secretariats of the Interior, Security and Citizen Protection, Finance and Public Credit, Welfare, Environment and Natural Resources, Energy, Economy, Agriculture and Rural Development, Communications and Transportation, Public Education, Health, Labor and Social Welfare, Agrarian, Territorial and Urban Development, Tourism and the Navy, or those that replace them, as well as other dependencies that have competence in the matter of standardization, according to that competence is recognized by the Commission itself;

II. The people who preside over the Energy Regulatory Commission, the National Hydrocarbons Commission, the National Agency for Industrial Safety and Environmental Protection of the Hydrocarbons Sector, the Federal Commission for the Protection against Sanitary Risks, the National Service of Health, Safety and Agro-food Quality, the Federal Consumer Protection Agency, the Federal Office for Environmental Protection, the National Water Commission, the Federal Civil Aviation Agency, the Regulatory Agency for Rail Transport, the National Commission for Nuclear Safety and Safeguards, the National Commission for Efficient Use of Energy, the Executive Secretariat of the National Public Safety System, the National Council for Standardization and Certification of Labor Competencies, or those that replace them, as well as other bodies that have competence in the field of standardization, according to that competence is recognized by itself Commission;

III. The people who are holders of the General Directorates, or their equivalent of the National Council of Science and Technology, of the National Metrology Center and of the Designated Metrology Institutes, or those who substitute them;

IV. Representatives of the chambers and confederations as well as industrial and commercial associations of the country constituted within the framework of the Law on Business Chambers and their Confederations, which will be elected in accordance with the provisions of the Regulations of the Law;

V. Representatives of public and private institutions of the academy, specialists and scientists who have a track record and experience in aspects related to normalization, standardization and Conformity Assessment, who will be chosen in accordance with the provisions of the Regulations of the Law, and

VI. The holders of the General Directorates, or its equivalent, of the Accreditation Bodies and the National Standardization Bodies.

Likewise, upon invitation of the President of the Commission, representatives of other dependencies and entities of the Federal Public Administration, as well as of the federal entities and municipalities may be integrated as observers without the right to vote; private organizations; organizations of workers, consumers and professionals; and academic, scientific and technological institutions, when subjects of their competence, specialty or interest are discussed.

Article 17. For the proper exercise of its powers, operation and execution of its resolutions, the Commission shall be composed of:

I. A President;

II. A Technical Council, and

III. An Executive Secretariat.

Article 18. In addition to the powers expressly conferred in this Law and its Regulations, the Commission has the following powers:

I. To direct and coordinate the National Quality Infrastructure System;

II. Review, analyze and approve annually the Program, its supplement, and monitor its compliance;

III. Establish guidelines, strategies and other measures to promote and disseminate quality infrastructure, improve and modernize the elaboration of Official Mexican Norms and Standards, as well as to promote their compliance;

IV. Authorize the creation of the National Standardization Advisory Committees at the proposal of the Standardizing Authorities;

V. Give opinions when required, on the registration of National Standardization Bodies;

VI. Comment on the authorization of the Accreditation Entities;

VII. Supervise the National Standardization Advisory Committees in the standardization process;

VIII. When during the standardization process, in his opinion, attention to a legitimate objective of public interest is put at risk, he shall issue the pertinent recommendations to the Standardizing Authority chaired by the National Standardization Advisory Committee in order to take the necessary measures.

IX. Propose the measures deemed appropriate for the promotion of the Quality infrastructure, as well as those necessary to resolve the complaints presented by the interested parties on aspects related to the activities of the Quality Infrastructure.

X. Resolve discrepancies that may arise in the work of the National Consultative Committees for Standardization;

XI. Approve the integration of working groups for the study and research of specific topics in the areas of normalization, standardization, Conformity Assessment and metrology;

XII. Propose, establish or approve indicators that allow evaluating and monitoring the Program;

XIII. Evaluate the Verification, Surveillance and market surveillance programs that the Standardizing Authorities present before the Commission;

XIV. Promote the evaluation of current Mexican Official Standards, in accordance with international best practices and the applicable provisions on regulatory improvement;

XV. Instruct the Executive Secretariat to prepare an annual report on the activities of the Commission;

XVI. Promote the use of principles, methodologies, instruments, programs, criteria and tools in accordance with national and international good practices regarding quality infrastructure;

XVII. Issue its own internal regulations, and

XVIII. All those that are necessary for the realization of the objectives of this Law.

In the case of sections II, VI, VII, VIII, XIII and XVII of this article, the resolutions will be taken exclusively by the simple majority of the votes of the members referred to in section I of article 16 of this Law. In the other cases, by the simple majority of all the members present. In all cases in which there is a tie in the voting, the President of the Commission shall have a casting vote.

Article 19. In addition to the powers expressly conferred in this Law and its Regulations, it corresponds to the President of the Commission:

I. To preside over the sessions of the Commission and to submit for its consideration the matters that appear on the agenda;

II. Submit to the full Commission, through the Executive Secretariat, the issues related to its functions;

III. Submit to the full Commission, through the Executive Secretariat, the integration of working groups, and

IV. Within the scope of its competence, delegate powers to the Technical Council or the Executive Secretariat, as appropriate.

Article 20. In addition to the powers expressly conferred in this Law and its Regulations, it corresponds to each of the members of the Commission:

I. Request the plenary session of the Commission, through the Executive Secretariat, to resolve specific discrepancies that may arise in the matter of normalization, standardization, Conformity Assessment or metrology;

II. Request the plenary of the Commission through the Executive Secretariat the analysis or study of issues that affect or affect the activities of normalization, standardization, accreditation, conformity assessment or metrology, and

III. Participate in the mechanisms, strategies and any other activity for the strengthening and dissemination of the National System of Quality Infrastructure and the work of the Commission.

Second Section

From the Technical Council

Article 21. The Technical Council is the auxiliary advisory body of the Commission, in charge of analyzing, preparing and proposing solutions to the matters that are entrusted or delegated to it by the President of the Commission. Its integration, organization and operation will be specified in the Regulations.

For the optimal performance of its advisory functions, the Technical Council may integrate working groups in order to attend to the specific topics entrusted or delegated by the President of the Commission.

Third Section

From the Executive Secretariat

Article 22. The Executive Secretariat of the Commission is the coordinating body of the National System of Quality Infrastructure, and will be the one who executes the determinations of the Commission. Its functions will be exercised by the Secretariat permanently.

Article 23. In addition to the powers expressly conferred in this Law and its Regulations, the Executive Secretariat has the following powers:

I. Direct, plan and coordinate the operational aspects of the work of the Technical Council and the working groups of both it and the Commission, as well as the logistical or organizational aspects of the Commission;

II. Coordinate among the Standardizing Authorities that the actions and programs of Verification and Surveillance and market surveillance are carried out with opportunity and promote the quality of the services provided by the Accreditation Entities and the Compliance Assessment Bodies;

III. Advise the President, as well as the members of the Commission and the Technical Council in the performance of their duties;

IV. Prepare the draft reports, resolutions, studies and other works entrusted to it by the Commission or the President. Likewise, receive and process correspondence, petitions and communications addressed to the Commission;

V. Request the members of the Commission, the information that they consider pertinent for the effective performance of their functions, and

VI. The others assigned by the President of the Commission.

Chapter III

From the Standardizing Authorities

Article 24. The preparation and issuance of the Official Mexican Standards is the responsibility of the Standardizing Authorities. For its elaboration, in any case, the Standardizing Authorities must elaborate or accept the proposals of Official Mexican Norms, as well as constitute and preside over the National Standardization Consultative Committees that they consider pertinent due to the diversity of matters for which they are competent.

The Standardizing Authorities must contribute to the integration and execution of the Program with the proposals of Official Mexican Standards that they deem convenient to meet the legitimate objectives of public interest.

Chapter IV

Of the National Consultative Committees for Standardization

Article 25. The National Standardization Consultative Committees are multi-sectoral collegiate bodies responsible for preparing Mexican Official Standards, promoting them, and disseminating their compliance.

It corresponds to the Standardizing Authorities, according to their scope of competence, to constitute, preside over and coordinate the National Standardization Consultative Committees, with the accompaniment, as the case may be, of the Executive Secretariat of the Commission.

Article 26. For the constitution of new National Standardization Consultative Committees, the Standardizing Authorities shall propose to the Commission, through the Executive Secretariat, their name, definition of scope, organizational structure and respective work program. The integration, organization, operation and operation of the National Consultative Committees for Standardization shall be provided for in the Regulations of this Law.

Said committees will be integrated in a balanced way by dependencies, business chambers and confederations, organizations of industrialists, service providers, merchants; scientific or technological research centers, professional and consumer colleges, among others, in accordance with the Operating Rules of each Committee.

Within each National Consultative Committee for Standardization, it should be defined whether it requires having subcommittees or working groups and what their functions will be.

Article 27. The National Advisory Standardization Committees shall carry out the following functions:

I. Conduct the standardization process of the proposals of Official Mexican Standards that are presented to them by the Standardizing Authorities;

II. Constitute and coordinate the subcommittees or working groups, necessary for the performance of their functions;

III. Prepare your work program;

IV. At the request of the Executive Secretariat of the Commission, deliver the updated list of committee members, and

V. Any other activity related to its functions that is entrusted to it by the Presiding Standardizing Authority or by the Commission.

Article 28. The sessions of the National Standardization Advisory Committees may be in person or by remote means of communication.

The decisions and resolutions that are taken in the National Standardization Consultative Committees, subcommittees, including the working groups, regarding the draft and draft Mexican Official Standards will be made by consensus. If such consensus is not reached, they will be taken by simple majority of the votes of the members present. In the event of a tie, the committee president will have a casting vote.

For the purposes of this Law, consensus is understood as the general agreement in which there is no sustained opposition to substantial issues, in a process that seeks to take into account the opinions of all interested parties and seeks to reconcile any conflict of arguments. This concept does not imply unanimity.

THIRD TITLE OF THE MEXICAN PROGRAM AND OFFICIAL RULES

Article 29. The Program is an instrument for planning, conducting, coordinating and reporting on the activities of normalization, standardization and metrology at the national level. The Program must be aligned with the National Development Plan, as well as with the sector programs of the Standardizing Authorities.

The Standardizing Authorities shall submit to the Executive Secretariat no later than October 31 of each year their work program for the immediately following year. The Program will be integrated annually by the Executive Secretariat no later than November 15 of each year, to be submitted to the full Commission for review, analysis and approval, no later than December 15 of each year. Once approved, the Program must be published in the Official Gazette of the Federation during the first two months of the year immediately following its approval.

The Standardizing Authorities may not submit proposals to the National Standardization Advisory Committee, or issue, modify or cancel Official Mexican Standards on topics that are not included in the Program for the current year, except in the case of emergency Official Mexican Standards. Nor may Standards that are not included in the Program for the year in question be prepared, issued, modified or canceled.

The Program approved by the Commission may only be supplemented through the Supplement to the National Standardization Program, in the understanding that it must be integrated by the Executive Secretariat no later than June 15 of each year, to be submitted to the full Commission for its review, analysis and approval and no later than July 15 of each year; once approved, the supplement to the Program must be published in the Official Gazette of the Federation, no later than August 30 of the year in question. For these purposes, the Standardizing Authorities shall submit their proposals for modifications to the Executive Secretariat no later than May 30 of each year.

Within thirty days after the publication of the Program or its supplement, as appropriate, in the Official Gazette of the Federation, the Standardizing Authority in its capacity as president of the respective National Advisory Committee for Standardization, shall submit proposals to said committee of Official Mexican Standards related to the topics included in the Program or in its supplement. In case of not complying with the provisions herein, the topics will be automatically removed from the Program or its supplement, without the need for any additional act, so they may not be subject to proposals before the National Advisory Committee for Standardization until their inclusion in the Programs or in your next supplement. The Commission may approve exceptions to the provisions of this paragraph.

Article 30. The Official Mexican Standards must be drafted and structured in accordance with the provisions of this Law and its Regulations.

Each Official Mexican Standard must contain the applicable Conformity Assessment Procedure according to the level of risk or protection necessary to safeguard the legitimate objectives of public interest that it intends to serve.

For the issues identified in the Program or in its supplement that fall within the competence of various Standardizing Authorities, they must follow the coordination mechanism determined by the Commission, as well as work together on the proposal, preliminary draft and project of the Corresponding Official Mexican Standard, in the terms provided in the Regulations of this Law, seeking that there be only one Official Mexican Standard per sector or subject.

The Regulations of this Law and, where appropriate, the Commission will establish the classification of the Official Mexican Norms considering the legitimate objectives of public interest that they pursue.

Article 31. The Official Mexican Emergency Standards will be drafted directly and issued by the Standardizing Authorities, complying with the provisions of article 34 of this Law, when they seek to avoid imminent damage, or to mitigate or eliminate existing damage to any legitimate objective of public interest. The Standardizing Authorities must inform the Commission about the issuance of the Official Mexican Emergency Standards, providing the elements that have served as justification for it.

The Official Mexican Emergency Standards will be valid for no more than six months, which may be extended on a single occasion, up to an equal period, if the issuing authority considers it so, and will be ordered to be published in the Official Gazette of the Federation.

Article 32. The Mexican Official Standards must be reviewed at least every five years after their publication in the Official Gazette of the Federation or the one of their last modification, through a systematic review process that is in accordance with the provisions of the Regulation of this Law, having to notify the report to the Executive Secretariat of the Commission with the results of the review, within sixty days after the end of the corresponding five-year period.

The report containing the systematic review must be prepared by the corresponding Standardizing Authority, who may be assisted by the respective National Standardization Advisory

Committee, as well as contain at least the following elements, accompanied by the corresponding justification:

- I. Diagnosis that may include an analysis and evaluation of alternative measures, if any;
- II. Impact or benefits of the Official Mexican Standard;
- III. Qualitative and quantitative data, and
- IV. Confirmation or, where appropriate, the proposal for modification or cancellation.

The Standardizing Authority must also deliver the report to the National Advisory Committee for Standardization in question within the period indicated in the previous paragraph, as well as request its publication in the Integrated Technological Platform for Quality Infrastructure. Once the report has been received, the National Standardization Advisory Committee shall attend to the proposed amendment in the terms provided in this Law and in the Regulations.

In the absence of review and notification of the report to the Executive Secretariat, the Commission will assess and, where appropriate, if it so determines, order the Standardizing Authority to cancel the Official Mexican Standards, in the terms provided in article 41 of this Law.

Article 33. At any time, the Commission may require the Standardizing Authorities to analyze the application, effects, observance and compliance with an Official Mexican Standard in order for them to prepare and submit to the Commission's consideration an action plan to improve its scope and implementation.

FOURTH TITLE

PROCEDURES OF THE OFFICIAL MEXICAN STANDARDS

Chapter I

Procedure for the Elaboration and Issuance of the Official Mexican Standards

Article 34. Proposals for Mexican Official Standards must meet, at a minimum, the following requirements:

- I. The title;
- II. The objective, field of application, as well as the description of the legitimate objectives of public interest that it pursues;
- III. The identification, as well as the specifications, characteristics, technical provisions, data and information corresponding to the good, product, process, service, terminology, marking or labeling and information to which it will be applicable;
- IV. The procedure, as well as the infrastructure for the Assessment of Conformity applicable. For these purposes, the use of information technologies that ensure the identification of goods, products, processes and services will be privileged;
- V. Identify the authorities that will carry out the Verification or Surveillance for compliance;
- VI. In your case, the reference to Standards for its implementation;
- VII. Use as a basis the International Standards applicable in the matter and establish the degree of agreement of the proposal with them, indicating if it is identical, modified or not equivalent;
- VIII. The corresponding bibliography, including, among others, the Standards, International Norms and Technical Regulations that, where appropriate, were taken as a reference for the preparation of the proposal for the Official Mexican Standard;
- IX. Classification in accordance with the provisions of article 30, last paragraph of this Law;
- X. Include the proposed regulatory impact analysis in the terms indicated by the Commission in accordance with the provisions of article 36 of this Law;
- XI. The other mentions that are considered pertinent for the proper understanding and scope of the proposal, and
- XII. The others provided for in the Regulations of this Law.

For the purposes of this Law, a proposal for a Mexican Official Standard is understood as the preliminary document prepared or accepted by the Standardizing Authorities, in which the characteristics of a good, product, process, service and, where appropriate, methods are proposed. production with them related.

It may also include provisions on symbols, packaging, marking or labeling, or terminology, applicable to a good, product, process, service or production method.

Article 35. The standardization procedure consists of the following stages that will be progressive and successive:

I. Preparation or acceptance of the proposal by the Standardizing Authority;

II. Presentation of the proposal to the corresponding National Advisory Standardization Committee for its analysis and review, at which time it will be considered as a preliminary draft of the Official Mexican Standard;

III. In the event that the National Consultative Committee for Standardization considers it appropriate, constitution of the corresponding working group, for the study and discussion of the corresponding preliminary draft.

Where appropriate, presentation of the results of the study and discussion of the preliminary draft by the working group before the National Advisory Committee for Standardization;

IV. Deliberation by the National Standardization Advisory Committee, which may be affirmative, with modifications or negative, result that will be communicated to the Standardizing Authority;

V. In the event that the result of the deliberation is affirmative, the Standardizing Authority shall order the publication in the Official Gazette of the Federation of a Notice of the draft of the Official Mexican Standard that contains an extract thereof, which will be available in its Entirely in the Integral Technological Platform of Quality Infrastructure, for public consultation.

In the event that the result of the deliberation results in modifications, the Standardizing Authority will have a period of thirty calendar days to attend to them and present to the National Advisory Committee on Standardization a modified preliminary draft, in which case, the procedure provided for in this article will be reinitiated. from fraction III above.

In the event that the result of the deliberation is negative, the respective standardization procedure will be concluded;

VI. Receipt of the comments of the public consultation by the National Standardization Advisory Committee, through the formats and means provided in the Integrated Technological Platform for Quality Infrastructure;

VII. Constitution by the National Advisory Committee for Standardization of the working group to study and discuss the comments received through public consultation and, where appropriate, proposal for adjustments to the draft of the Official Mexican Standard;

VIII. Presentation, by the working group, to the National Consultative Committee for Standardization of the proposal to respond to the comments received during the public consultation and, as a consequence, the proposed adjustments to the draft of the Official Mexican Standard, for its final resolution.

The final resolution of the National Advisory Committee for Standardization shall be communicated to the Standardizing Authority;

IX. Once the final resolution has been notified to the Standardizing Authority, it will request the Secretariat to publish the responses to the comments received during the public consultation on the Comprehensive Technological Platform for Quality Infrastructure, and

X. In the event that the National Consultative Committee for Standardization approves the draft of the Official Mexican Standard subject to final resolution, the Standardizing Authority shall issue the Official Mexican Standard and order its publication in the Official Gazette of the Federation, as well as request its publication in the Integral Technological Platform of Quality Infrastructure.

In the event of proposals for Mexican Official Standards that affect the scope of competition of various Standardizing Authorities, the aforementioned procedure will consider the provisions of the penultimate paragraph of article 30 above.

The procedure of this article will not be applicable in the case of Emergency Official Mexican Standards, the issuance of which will be subject to the provisions of article 31 of this Law and its Regulations.

Article 36. The Commission will issue guidelines that allow the results of the regulatory impact analysis and other provisions provided in the General Law of Regulatory Improvement to be incorporated into the standardization process.

Article 37. The proposal for the Official Mexican Standard may be prepared by the Standardizing Authority or interested party, provided that it complies with the provisions of article 34 of this Law, and is submitted to that Standardizing Authority.

In no case, it will be understood that the Standardizing Authority is obliged to accept the proposals of Official Mexican Standards presented by interested parties, and must justify and motivate its refusal.

Article 38. The period of public consultation of the draft of the Official Mexican Standard provided for in article 35, section V of this Law, may not be less than sixty calendar days and shall be in accordance with the Regulations of this Law. In accordance with the provisions of the treaties international organizations of which the United Mexican States is part may increase the period for receipt of comments during the public consultation period.

For such purposes, the project must be made public in accessible and adaptable formats. The projects must be published in their entirety, if applicable, with their respective annexes, formats and other constituent elements.

All public consultation must contain necessary measures that allow full participation for people with disabilities.

During the public consultation, comments from Mexican nationals and foreigners should be received on equal terms.

Article 39. The Standardizing Authorities must order, within 45 calendar days from the notification of the final resolution of the National Standardization Advisory Committee, the publication in the Official Gazette of the Federation of the Mexican Official Standards that they issue so that they produce legal effects.

The competent Standardizing Authorities will determine the date of entry into force of each Official Mexican Standard that they issue, which may not be less than one hundred and eighty calendar days after the date of its publication in the Official Gazette of the Federation. In no case, the entry into force of the Official Mexican Standards may be subject or conditioned to the compliance or updating of additional acts or facts, other than just the passage of time.

The competent Standardizing Authorities, respecting the term referred to in the preceding paragraph, may determine the staggered and gradual entry into force of certain chapters, paragraphs, subsections, subsections or numerals of the Official Mexican Standards.

Article 40. The Standardizing Authorities may require from manufacturers, importers, service providers, consumers or research centers, the necessary data for the preparation of the proposals of Official Mexican Standards and for any administrative procedure related to them. They may also collect, from these for the same purposes, the strictly necessary samples, which will be returned once their study has been carried out, unless their destruction has been necessary for it.

The information and documentation collected by the Standardizing Authorities for the preparation of the proposals of Official Mexican Standards, as well as for any administrative procedure related to them, will be used exclusively for such purposes and when the confidentiality of the same is protected by legislation. applicable, the interested party must authorize its use. At the express request of the interested party, it will be confidential and will not be disclosed, enjoying the protection established in the field of industrial property.

Chapter II

Procedure for Modification and Cancellation of the Official Mexican Standards

Article 41. The procedure for modifying an Official Mexican Norm shall be in accordance with the provisions of article 35 of this Law. The Regulation of this Law may establish simplified procedures for the modification and cancellation of Official Mexican Norms.

The procedure for modification or cancellation of the Official Mexican Standards may be started at any time, provided that the Official Mexican Standard has entered into force, for any of the following reasons as applicable to the case in question:

I. The modification to the International Standards taken as the basis for the elaboration of the Official Mexican Standard, or the issuance of new International Standards that affect it;

II. That the Official Mexican Standard does not adequately address the legitimate objectives of public interest that it pursues, is obsolete or technology has exceeded it;

III. That it is required to modify the conformity assessment procedures provided therein or reflect the general criteria existing in the matter;

IV. When the Standardizing Authority that issued the Official Mexican Standard, notice that the causes that motivated its issuance no longer subsist or are obsolete, or

V. When the Standardizing Authority considers it convenient, provided there is a justification for it.

Article 42. The Commission may order the Standardizing Authorities to cancel Mexican Official Standards without being subject to the provisions of article 41 above, when any of the following assumptions is met:

I. When the report containing the result of the systematic review that has been made to a Mexican Official Standard proposes its cancellation, or

II. When the corresponding Normalizing Authority that has issued the Official Mexican Standard runs out of powers in the matter, without these having been assumed by another Normalizing Authority.

The competent Standardizing Authority must cancel and order the publication of said cancellation in the Official Gazette of the Federation within 30 days after the Commission orders it. In the event that the Standardizing Authority does not carry out this cancellation and publication within the indicated period, the Commission may cancel and order that publication directly. The Official Mexican Standards will continue to take effect until its cancellation is published in the Official Gazette of the Federation.

TITLE FIFTH

OF THE INTEGRATION AND ORGANIZATION OF THE CONFORMITY ASSESSMENT

Chapter I

Requirements and General Rules of Integration

Article 43. Conformity Assessment is part of the Quality Infrastructure and is made up of Accreditation Bodies, Conformity Assessment Bodies, Standardizing Authorities, the National Metrology Center, the Designated Metrology Institutes in the scope of their powers, as well as by the National Standardization Bodies, the subjects empowered to standardize, other entities, agencies or public entities auxiliary to the Standardizing Authorities.

Article 44. The Secretariat will keep available to any interested party the list of Accreditation Bodies and Conformity Assessment Bodies. Said list will be published in the Integral Technological Platform of Quality Infrastructure.

Article 45. The Accreditation Bodies and the Conformity Assessment Bodies will be obliged to deliver to the Secretariat the list of tariffs and prices together with the information indicated in the Regulations of this Law, with at least twenty days in advance at the date in which they intend to be applied or modified, for the purposes of their publication in the Integrated Technological Platform for Quality Infrastructure.

The tariffs and prices that the Accreditation Bodies and the Conformity Assessment Bodies charge their users or clients, as well as those of the Standardizing Authorities when they carry out the conformity assessment, will be published in the Integral Technological Platform for Quality Infrastructure. .

Regarding the Conformity Assessment Bodies, the obligation provided in this article will be applicable to those that carry out the Conformity Assessment, directly or indirectly, of Official Mexican Norms, Standards or International Norms referred to therein, as well as of other legal provisions.

In the event that the Standardizing Authorities carry out Conformity Assessment activities, they will charge the concepts that for such activities are provided for in the Federal Law of Rights.

Article 46. The Secretariat shall establish the characteristics that the official password must meet and its use must be through a self-declaration of conformity scheme or as a result of the conformity evaluation carried out on a product, good or service, according to the determine the Standardizing Authority.

Article 47. The Secretariat and the Standardizing Authorities, when appropriate, will permanently monitor the strict adherence of the Accreditation Entities to the Law, its Regulations, the Official Mexican Norms and International Norms, as well as the conditions and terms in accordance with the which the corresponding authorization was granted. In the same way, the Standardizing Authorities will monitor the Conformity Assessment Bodies that they have approved.

The Secretariat will integrate the National Register of Evaluators in which the technical evaluating personnel who provide their services in the Accreditation Entities for the different conformity evaluation activities will be registered.

Article 48. When the Secretariat or the Standardizing Authorities identify, according to the Federal Law on Economic Competition, that an Accreditation Entity or Conformity Assessment Body has substantial power in one or more relevant markets, they will give sight to the Federal Commission of Economic Competition, in accordance with applicable legislation.

Chapter II
From Accreditation Bodies and Conformity Assessment Bodies
First Section
Accreditation Entities

Article 49. In order to operate as an Accreditation Entity, the authorization of the Ministry is required, with the prior favorable opinion of the Commission and to comply with the following, in accordance with the provisions of the Regulations of this Law:

I. Accredite the legal, technical, administrative and financial capacity, having to constitute yourself as a moral person, whose main corporate purpose is to carry out accreditation tasks in terms of this Law, for which you must accompany:

a) Bylaws or their project, detailing governing bodies, and the functional technical structure of the entity that guarantees the balance of stakeholders in the accreditation process at the national level, stakeholders being understood as accredited persons, users of the service, professional or academic associations, chambers and associations of industrialists or merchants, higher education institutions, research centers and the agencies involved in the entity's accreditation activities;

b) List of material and human resources available to them, or their proposal, detailing their academic degree and experience in the subject matter; and

c) Documents that demonstrate their financial solvency to ensure the continuity of the accreditation system;

II. Detail the organizational structure of the entity;

III. Detail the methodology that will be used to evaluate and, where appropriate, grant accreditations to those who request it in accordance with the national Standards or the applicable and current International Standards. Any substantial change in this methodology must be presented for approval by the Secretariat, upon the favorable opinion of the Commission;

IV. Demonstrate their ability to attend one or more technical matters, sectors or branches of activity, which correspond to the respective conformity assessment field;

V. Indicate the rates and prices that will be applied in the provision of its services, as well as the methodology used to determine them, under a transparent procedure based on costs; and

VI. Detail the procedure for the integration of a list of evaluators in accordance with the provisions of article 50 below.

The Accreditation Entities may operate in one or various matters, sectors or branches of activity, as long as they operate under an internationally recognized quality management system, have national coverage and comply with the aforementioned.

Article 50. The Accreditation Entities must, in the terms provided in the Regulations of the Law:

I. Comply at all times with the conditions and terms under which the authorization was granted;

II. Resolve accreditation requests that are presented impartially; issue the corresponding accreditations and notify it to the competent Standardizing Authority by subject, as well as to the Secretariat;

III. Allow the presence of representatives of the Standardizing Authorities that request it in the performance of their functions;

IV. Integrate and coordinate evaluation committees for accreditation;

V. Incorporate their evaluators in the National Register of Evaluators established by the Secretariat;

VI. Periodically review the compliance of the Conformity Assessment Bodies with the conditions and requirements that served as the basis for their accreditation;

VII. At the request of the Secretariat or the Standardizing Authorities, report on the results of the reviews and supervision they carry out of the Conformity Assessment Bodies;

VIII. Resolve the claims presented by the parties affected by their activities under the terms of Article 164 below, with the intervention that corresponds to the Secretariat or to the Standardizing Authorities and respond about their actions. Any affectation must be processed in the aforementioned terms, regardless of how the affected party calls it;

IX. Safeguard the confidentiality of the information obtained in the performance of its activities;

X. Participate in regional and international accreditation organizations for the elaboration of criteria and guidelines on accreditation and mutual recognition of accreditations granted, and inform the Secretariat and, where appropriate, the Standardizing Authorities by reason of competence by matter. , about it;

XI. Inform the Secretariat of the results and compliance with the evaluations carried out by the regional and international accreditation organizations in which they participate;

XII. Provide the Secretariat and the Standardizing Authorities with the information and technical assistance that is required and submit a report to the Secretariat every six months on the accreditations that it issues, as well as the other acts that it has carried out, in the terms and formats that the Secretariat determines;

XIII. Maintain for consultation of any interested party a catalog classified and updated by electronic means of the Accredited Conformity Assessment Bodies. Likewise, deliver to the Secretariat the update of that information, in the terms and formats that the Secretariat determines;

XIV. Put to consultation of any interested party, information regarding their rights and obligations; the means through which you obtain economic income; the international agreements and recognitions in which it is involved; accreditation schemes, including their evaluation processes; accreditation fees; and the description of the rights and obligations of the conformity assessment bodies;

XV. Adjusting to the rules, procedures and methods established in the Official Mexican Norms, Standards or International Norms referred to therein or other legal provisions regarding Conformity Assessment;

XVI. Provide their services in non-discriminatory conditions and observe the other provisions on economic competition;

XVII. Avoid the existence of conflicts of interest that may affect their actions and excuse themselves from acting when such conflicts exist;

XVIII. Allow the Surveillance of its activities by the Secretariat and the Standardizing Authorities within the scope of their respective powers;

XIX. Act impartially and independently, observing the principles set forth in this Law;

XX. Operate under an internationally recognized quality management system, and

XXI. Specify the conditions for granting, expanding, renewing, maintaining, suspending or canceling the accreditations granted, in their operating manuals and in the service provision contract that they enter into with the Conformity Assessment Bodies, in accordance with the provisions of this Law. and its Regulations.

Article 51. The employees and managers of the Accreditation Entities will be prevented from hearing accreditation applications promoted by people with whom they have family ties by affinity or consanguinity up to the fourth degree in a straight or collateral line, economic interests or conflicts of interest of another nature or for any of the specifications provided for in article 50, section XIX above.

Article 52. The Accreditation Entities will integrate evaluation committees, as supporting bodies for accreditation.

The evaluation committees will be made up of specific subjects, sectors and branches, and will be made up of qualified technicians with experience in the respective fields, as well as representatives of the producers, consumers, providers and users of the service, and the technical staff of the entities of accreditation and standards development authorities in accordance with the guidelines issued by the Secretariat prior opinion of the Commission, in accordance with the provisions of the Regulations of this Law.

The corresponding evaluation committee will designate an evaluation group, whose members must be registered in the National Register of Evaluators established by the Secretariat, to carry out the evaluation visits or actions necessary to verify that the accreditation applicants have the facilities, equipment, adequate technical personnel, organization and operating methods that guarantee their technical competence, operational and material capacity, and the reliability of their services.

The expenses derived from the accreditation, as well as the fees of the technicians that may be required, will be borne by the applicants, who must be informed in this regard when submitting their application.

Second Section

Conformity Assessment Bodies

Article 53. The Conformity Assessment Bodies may operate as:

- I. Laboratories, testing and testing, measurement or calibration, among others;
- II. Inspection units;
- III. Certification bodies, and
- IV. Other providers and service providers provided in the Regulations of this Law.

In the Regulations of this Law, the terms in which the aforementioned organizations will participate in Conformity Assessment activities shall be consigned, therefore, in applicable cases, the provisions of the Metrology System must be observed.

Provided that it does not imply a conflict of interest or an affectation to the legitimate objectives of public interest that the applicable Official Mexican Standard pursues, a Conformity Assessment Body may operate under more than one of the aforementioned figures, always complying with the provisions in this Law and other applicable legal provisions and have the respective authorization, registration, accreditation or approval as appropriate, which shows that they meet the criteria of impartiality and reliability and have no conflict of interest according to those established in national regulations and applicable internationals.

Article 54. Only those that are accredited before an Accreditation Entity may operate as Conformity Assessment Bodies, for which they must make their request before it, and accompany:

I. Their bylaws, with a sufficient corporate purpose to operate as Compliance Assessment Bodies, as well as their proposed activities;

II. Indicate the object, the Official Mexican Norms and, where appropriate, the International Norms and Standards, or other legal provisions that they intend to evaluate, indicating the respective subject, sector, branch, field or activity and describe the services they intend to provide and the procedures to use, and

III. Demonstrate that they have the adequate legal, technical, administrative, financial, material and human capacity in relation to the services they intend to provide, as well as the quality and technical management procedures that guarantee the performance of their functions.

Article 55. Once accreditation has been obtained, persons interested in operating as Conformity Assessment Bodies for the Assessment of Conformity to Mexican Official Norms, Standards, International Norms referred to there or other legal provisions, must submit the request for approval. before the Standardizing Authority in question, attaching the documentation indicated in the Regulations of this Law, including, among others:

I. The rates and prices that will be applied in the provision of its services, as well as the methodology used to determine them, under a transparent procedure based on costs;

II. The methodology that will be used to carry out the Conformity Assessment according to Official Mexican Norms, Standards, International Norms, Technical Regulations referred to there or other legal provisions. Any substantial change in this methodology that differs from the aforementioned Standards, must be presented for its prior approval by the Accreditation Entity that has accredited it, who will give sight to the Standardizing Authority in question, and

III. Your business plan for the following twelve months, with the respective justification; including, among others, an estimate of the Conformity Assessment services that it will carry out and the infrastructure that it will use for it.

Article 56. The Conformity Assessment Bodies must:

I. To comply with the rules, procedures and methods established in the Official Mexican Norms, as well as in the applicable International Norms and Standards or other technical instruments provided for in the Regulations of this law;

II. Provide their services in non-discriminatory conditions, with impartiality and independence and observe the other provisions on economic competition;

III. Avoid the existence of conflicts of interest that may affect their actions and excuse themselves from acting when such conflicts exist;

IV. Resolve claims presented by the parties affected by their activities under the terms of Article 164 below, with the intervention that corresponds to the Standardizing Authorities and respond about their

actions. Any affectation must be processed in the aforementioned terms, regardless of how the affected party calls it;

V. Guarantee the confidentiality of the information and answer for all the acts that it carries out, being the only person responsible for any damage or prejudice caused to third parties;

VI. Provide the Standardizing Authority in question or the Secretariat with the information and technical assistance required, in the terms and formats determined by them, and

VII. Allow the review or surveillance of its activities by the Standardizing Authority, and supervision by the Accreditation Bodies.

Article 57. The employees and managers of the Conformity Assessment Bodies will be prevented from hearing the requests for Conformity Assessment promoted by people with whom they have family ties by affinity or consanguinity up to the fourth degree in a straight or collateral line, economic interests or other conflicts of interest.

Article 58. Accreditation Bodies or Standardizing Authorities may partially or totally suspend the accreditation or approval, as appropriate, of the Conformity Assessment Bodies, when:

I. Do not provide the Accreditation Entity or the Standardizing Authorities in a timely and complete manner with the reports that are required regarding their operation and operation;

II. The functions of monitoring, revision or supervision of the Accreditation Entity or the Supervision of the Standardizing Authorities are impeded or hindered;

III. Its capacity to issue technical opinions or certifications in certain areas is decreased, in which case the suspension will be concentrated in the respective area;

IV. When the provisions of this Law or its Regulations are violated;

V. Do not report to the Accreditation Entity or the Standardizing Authority changes in the information provided at the time of requesting accreditation or approval;

VI. Without just cause, the requirements issued by an Accreditation Entity or the Standardizing Authority, derived from the verifications, inspections, supervision or audits carried out by them, as appropriate, are not complied with;

VII. Non-compliance with assigned responsibilities, derived from supervision, verification, evaluation, inspection or audit, as appropriate, is detected, and

VIII. Opinions, certificates or reports of results are issued using protocols or methodologies different from those established in the Official Mexican Norms, Standards, International Norms referred to therein or other legal provisions.

The suspension procedure will be subject to the provisions of the Regulations of this Law, with the participation indicated therein by the Standardizing Authorities.

The suspension will last as long as the respective requirements or obligations are not fulfilled, and this can be specified only to the area of non-compliance when possible.

Article 59. Accreditation Bodies or Standardizing Authorities may cancel the accreditation or approval of the Conformity Assessment Bodies, as appropriate when:

I. Issue documents stating the results of the Conformity Assessment with erroneous or false information or data;

II. Repeatedly and unjustifiably deny the service requested;

III. Expressly waive the accreditation granted to operate;

IV. They incur serious breaches of their obligations under this Law and the Regulations;

V. Recurrence in the cases provided for in the sections of article 58 of this Law;

VI. Alter the documents issued, falsely declare or that through inspection it is detected that what is stated in the certificates, opinions or reports of results does not correspond to what is observed in the establishments or regulated goods, as appropriate;

VII. Give the user, stamps without carrying out the conformity assessment, as well as certificates, verification opinions and results report signed and / or sealed in white;

VIII. Provide conformity assessment services in matters for which it does not have accreditation and approval from an Accreditation Entity or the Standardizing Authority, as appropriate, and

IX. Issue verification reports, results reports or certificates without prior verification in accordance with the provisions of the Official Mexican Norms, Standards, International Norms referred to there or other legal provisions.

The cancellation procedure will be subject to the provisions of the Regulations of this Law, with the participation indicated therein by the Standardizing Authorities.

The cancellation of the accreditation will entail the prohibition to exercise the activities that have been accredited and to make any allusion to the accreditation, as well as the use of any type of information or symbol referring to it. Likewise, with regard to the Conformity Assessment Bodies approved by the Standardizing Authorities, the cancellation of the accreditation will automatically and without the need to carry out any additional act, revoke the respective approval.

Article 60. The activities of Conformity Assessment shall comply with the rules, procedures and methods established in the Official Mexican Standards and International Standards. The activities must include the following, in the terms provided in the Regulations of this Law:

I. The evaluation of the goods, products, processes and services, or of the information on the symbols, packaging, marking or labeling, or their terminology and, where appropriate, their production methods, by means of eye inspection, sampling, testing, certification, field research or review and evaluation of quality programs;

II. In your case, through a self-declaration of conformity by the obligated subjects in accordance with the last paragraph of article 69 of this Law;

III. If applicable, follow-up after the initial Conformity Assessment, to verify compliance with the Official Mexican Norms, Standards, International Norms referred to therein or other legal provisions and have mechanisms to protect and prevent the disclosure of industrial or intellectual property of its clients, and

IV. If applicable, the preparation of proposals, review and, where appropriate, approval of general criteria for certification of Conformity Assessment, through technical certification committees made up of the interested sectors, or directly by the Competent Standardizing Authorities.

Once these general criteria have been approved, they must be made available to any interested party through the Integrated Technological Platform for Quality Infrastructure.

Article 61. In the cases and subject to the terms provided in the Regulations of this Law, the Standardizing Authorities, after favorable opinion of the National Commission of Quality Infrastructure and in the absence of quality infrastructure, may directly accredit the Evaluation Bodies of the Compliance, without later requiring an approval for the Evaluation of the Compliance of Official Mexican Standards. For such purposes, they must be subject to the provisions of the applicable International Standards regarding accreditation.

TITLE SIX

OF THE CONFORMITY ASSESSMENT

Chapter I

Mechanisms and Rules for Conformity Assessment

Article 62. The Evaluation of Conformity includes the technical process of demonstration of compliance with the Official Mexican Norms or Standards.

Standardizing authorities or Conformity Assessment Bodies may assess compliance at the request of a party, for private, official, import or export purposes. The results of the Conformity Assessment will be recorded in writing.

The conformity assessment may be carried out by the standardizing authorities, in the absence of infrastructure in the private sector to carry it out.

The Conformity Assessment may be carried out by type, line, lot or batch of goods, or by system, either directly in the corresponding facilities or during the development of the activities, services or processes in question. The Certification Bodies may be assisted by experts in the corresponding matter.

Article 63. In accordance with the provisions of the Regulations of this Law, the recipients of a Mexican Official Standard or subjects bound by it may request the Standardizing Authority that has issued it to use or apply materials, equipment, processes, mechanisms, methods test, procedures or alternative technologies to those provided in the Official Mexican Standard. For these purposes, the necessary scientific or objective evidence must be attached to their request, which proves that the proposed alternative complies with the Official Mexican Standard and protects the legitimate objectives of public interest that it protects.

The Standardizing Authority will turn a copy of the request to the corresponding National Standardization Advisory Committee within five days after receiving it, which must issue its opinion. In any case, the Standardizing Authority must resolve within forty-five days after receipt of the request, and must justify its decision based on the opinion of the National Standardization Advisory Committee. This term will be extendable once for the same period and will be suspended in the event that the Standardizing Authority requires the interested party to provide further evidence or justification, resuming on the next business day after the requirement is met. The authorization will be granted leaving the rights protected in the laws on intellectual property and will be considered negative if not issued within the corresponding period.

The authorization will be published in the Comprehensive Technological Platform for Quality Infrastructure and will take effect for the benefit of everyone who requests it, provided that they verify with the Standardizing Authority that they are in the same cases of the authorization granted. The Standardizing Authority will resolve this request within the following fifteen days, otherwise, it will be considered that the resolution will be in the negative sense.

Article 64. When a good, product, process or service must comply with a certain Official Mexican Norm or the Standards referred to therein, its similar ones to be imported must also comply with the specifications established therein, in the terms provided in the Foreign Trade Law.

For this purpose, the standardizing authorities will determine, depending on the level of risk, which products subject to official Mexican standards must demonstrate compliance at the point of entry into the country, which will be identified in the Foreign Trade Rules through the tariff sections. corresponding.

In this case, when the national goods, products, processes and services are required, the goods, products, processes and services to be imported must also have evidence of compliance with the Official Mexican Standard in accordance with the Evaluation Procedure of the Applicable compliance, such as certificates, opinions or test results of an accredited and approved Conformity Assessment Body or a foreign third party in terms of a mutual recognition or equivalency agreement in force, in accordance with the provisions of the Regulations.

The Regulations of this Law may provide that the Standardizing Authority establish alternatives to the form of compliance with the Conformity Assessment procedures in the case of goods, products, processes and services to be imported, provided that the legitimate objectives of public interest are protected. that it protects the Official Mexican Norm in question.

Article 65. Those who carry out the Conformity Assessment will use information technologies that reliably ensure the identification of goods, products, processes and services, or the information on symbols, packaging, marking or labeling, or terminology of these and, where appropriate, their production methods that comply with the applicable Official Mexican Standards, when so required pursuant to the provisions of articles 30 and 64 of this Law.

Article 66. Only when there are no accredited and approved Conformity Assessment Bodies or that they are in the process of partial or total suspension, cancellation of their accreditation or approval, or according to the level of risk or protection necessary to safeguard the legitimate objectives of public interest that it intends to meet, subject to the provisions of the Regulations of this Law, the Standardizing Authorities may carry out the conformity assessment directly or resort to the National Metrology Center, the Designated Metrology Institutes or institutions of research and higher education specialized subject matter or industry standards, as well as any other entity recognized for these purposes by the Standardizing Authority in question.

Article 67. The Conformity Assessment Bodies may subcontract the services of a third party to carry out tests or inspections in relation to the Compliance Assessment, provided that those third parties are other Conformity Assessment Bodies accredited and approved in the

subject, or equivalent entities, with accreditations or equivalent approvals, from other countries with which the United Mexican States has concluded international treaties on the subject. In any case, the Conformity Assessment Body that has subcontracted a third party will be responsible for the acts of that third party and must inform the normalizing authority of said subcontracting.

In no case may the acceptance of the results of the Conformity Assessment carried out by Conformity Assessment Bodies that have used the subcontracting scheme provided for in this article, be denied, except in cases where the results do not adhere to this Law. , its Regulations or the applicable norms or standards, being the responsibility of the Conformity Assessment Body that would have subcontracted the services.

Article 68. The competent authorities must recognize the results of the Conformity Assessment carried out by the Conformity Assessment Bodies. When said authorities find any discrepancy or error in the results, they must notify the competent Standardizing Authority, so that it

instructs the respective Compliance Assessment Body to correct the discrepancy or error at no cost to the individual, and without prejudice to sanctions. that correspond to him.

Chapter II

Conformity Assessment Procedures

Article 69. In accordance with the provisions of article 30 of this Law, the Compliance Assessment Procedures shall, as applicable in proportion to the level of risk or protection necessary, include at least the following elements:

I. The description of the requirements and data that must be met by the obligated or responsible parties of the good, product, process or service or of the information on the symbols, packaging, marking or labeling, or their terminology and, where appropriate, its production methods;

II. In your case, the Conformity Assessment schemes, including the way in which your results will be documented;

III. The applicable phases or stages, including their duration;

IV. Technical and administrative considerations;

V. The term of prevention and response of the result of the Conformity Assessment as well as its validity;

VI. The formats related to the Conformity Assessment to be applied, and

VII. The mention of whether the demonstration of compliance is mandatory and who can carry out the conformity assessment.

Likewise, these procedures must contemplate the use of information technologies for the Evaluation of Conformity, as well as for the identification of goods, products, processes and services or of the information of symbols, packaging, marking or labeling, or their terminology and, where appropriate, their production methods that comply with the applicable Mexican Official Standards. For these purposes, the Standardizing Authorities will always try to incorporate the latest technological advances available considering, based on a cost-benefit analysis, the least expensive option for the individual.

The Conformity Assessment Procedures must establish the way in which the Conformity Assessment Bodies will inform the Standardizing Authorities about the results of the Conformity Assessment that they carry out, in addition to the other information obligations established in this Law and its Regulations.

The Regulations of this Law may include complementary elements for the process of elaboration and modification of the Conformity Assessment Procedure, in addition to the provisions of article 35 above.

When such procedures involve measurement operations, there must be traceability to the standards approved in terms of this Law.

When, in the opinion of the Standardizing Authorities, it is confirmed that the Conformity Assessment Procedure of the Official Mexican Standard appropriately includes the obligation on the part of the producer of goods, the manufacturer of products, or the supplier of processes and services, to respond adequately to the performance of the same during their stay in the market or that a legitimate objective of public interest is not affected, the self-declaration of conformity by the obligated subjects may be foreseen, such as the Conformity Assessment scheme.

For this, producers, manufacturers and service providers subject to Official Mexican Standards must maintain quality control systems compatible with applicable standards. They will also be obliged to systematically verify the specifications of the product or service and its process, using sufficient and adequate laboratory equipment and the appropriate test method, as well as to carry out a statistical control of production in such a way that objectively compliance with those specifications.

The Regulation of this Law will establish the terms according to which the self-declaration scheme may be practiced in the Evaluation of Conformity with respect to the Official Mexican Norms and Standards.

Chapter III

Of Mutual Recognition Agreements and Arrangements and Equivalence Agreements

Article 70. Mutual recognition agreements are the instruments through which the parties involved mutually recognize the results of the Compliance Assessment Procedures, complying with the provisions of the applicable national and international provisions. The subjects that can conclude these agreements, within the scope of their competences and powers, are the Secretariat and the Standardizing Authorities, with official foreign and international institutions that carry out similar activities.

Accreditation Bodies and Conformity Assessment Bodies may enter into mutual recognition arrangements with foreign entities and bodies that carry out similar activities.

Article 71. Equivalence agreements are the resolutions by which the Secretariat, by itself or at the request of an interested party, unilaterally or reciprocally recognizes or accepts foreign technical regulations, or the results of the Conformity Assessment carried out by the international or foreign entities.

Resolutions must contemplate at least the same degree of conformity to achieve the legitimate objectives pursued, as well as international standards for testing, inspection, certification and accreditation, subject to prior favorable opinion, where appropriate, from the competent Standardizing Authority.

In the case of sanitary and phytosanitary measures, the equivalence will be recognized by the competent Standardizing Authorities, considering at least the same degree of conformity to achieve the legitimate objectives pursued by the corresponding Official Mexican Standards.

Article 72. The celebration, modification and termination of agreements, mutual recognition arrangements and equivalency agreements shall be subject to the provisions of the Regulations of this Law. Mutual recognition agreements and arrangements must be previously approved by the Secretariat. In the case of mutual recognition arrangements, the Secretariat will request prior approval, the opinion of the corresponding Standardizing Authority.

The draft mutual recognition agreements, equivalence agreements and mutual recognition arrangements will be made available to any interested party for public consultation on the Quality Infrastructure Technology Platform, and once signed, they will be published in their entirety on the same Platform, and an extract of the same in the Official Gazette of the Federation.

SECOND BOOK

OF THE QUALITY AND INNOVATION SYSTEM

FIRST TITLE

OF THE RULES

Chapter I

General disposition

Article 73. The quality and innovation system is part of the National Quality Infrastructure System; It is made up of the National Standardization Bodies and other subjects empowered to standardize, and is supported by the development and application of the Standards that, as a general rule, are of voluntary application except when any of the following assumptions are updated:

I. Its obligatory observance is required by express reference in a Mexican Official Standard for the purposes determined by it;

II. The authorities of any government order establish a Standard as enforceable in the administrative provisions they issue, in accordance with their competence and the applicable regulations;

III. Public agencies and entities of any government order make a Standard enforceable for the goods or services that they acquire, tender, rent or contract;

IV. People declare that their goods, products, processes and services are in accordance with the Standards, or

V. Laws or regulations establish them as mandatory.

The Standards must be prepared, adopted and applied in accordance with the provisions of international treaties to which the Mexican State is a Party and, in no case, may contain specifications, characteristics, values, parameters or requirements less strict than those established in a Standard. Mexican Officer.

For the cases provided for in sections II and III of this article, said authorities shall be obliged to justify the enforceability of the Standard for the administrative provisions they issue, as well as for the goods or services they acquire, tender, lease or contract, based on the principles provided in this Law, as well as having to act impartially.

Article 74. The Standards are classified, as provided in the Regulations of this Law and without prejudice to the Commission expanding and defining the use of said classification, in industrial; agricultural; livestock means environment; energetic; commercial; management; of metrology; and general.

Article 75. The Standards must contain in what is relevant and subject to the provisions of the Regulations of this Law:

- I. Key, title, objective and scope of the Standard;
- II. In your case, the reference to other Standards, as well as International Standards for their implementation;
- III. Conformity Assessment Procedure, when appropriate according to the nature of the good, product, process and service;
- IV. Identify the applicable International Standards in the matter and establish the degree of agreement of the proposal with them, indicating if it is identical, modified or not equivalent;
- V. The corresponding bibliography, including, among others, the Standards, International Norms and Technical Regulations that, where appropriate, were taken as a reference for the elaboration of the proposed Standard;
- VI. Classification in accordance with the provisions of article 74 above and in the international classification of standards, and
- VII. Application start date.

Article 76. In terms of the provisions of the Regulations of this Law and Article 29 above, the National Standardization Bodies, the other subjects empowered to standardize and, where appropriate, the Standardizing Authorities shall submit standardization issues to the Secretariat. Commission Executive, who will submit them to the Commission for review, analysis and inclusion in the Program for the year in question.

The National Standardization Bodies, the other subjects empowered to standardize and, where appropriate, the Standardizing Authorities may not issue, modify or cancel Standards that are not foreseen in the Program of the year in question.

Article 77. The Regulations of this Law shall establish the requirements, rules and mechanisms to develop Standards jointly by more than one subject empowered to standardize or the National Standardization Body.

Article 78. The Secretariat may authorize more than one subject empowered to standardize or grant registration to more than one National Standardization Body on the same matter, these should avoid duplication or repetition in the works.

Article 79. The subjects empowered to standardize and the National Standardization Organizations shall submit an annual report of the acts that they have carried out to the Executive Secretariat of the Commission, no later than the last day of January of each year, in accordance with the provided in the Regulations of this Law.

Chapter II

Standards Elaboration Procedure

Article 80. For the elaboration of the Standards the following procedure will be followed, which will be detailed in the Regulations of this Law:

- I. Preparation of the proposed standard by the National Standardization Bodies, the other subjects empowered to standardize or, by exception, by the Standardizing Authorities;
- II. Presentation of the proposed Standard to the corresponding technical standardization committee for its analysis, review and deliberation, at which time it will be considered as a preliminary draft of the Standard;
- III. In the event that the corresponding technical standardization committee deems it appropriate, constitution of the working group to analyze and review the draft of the Standard;
- IV. In its case, presentation of the results of the analysis and review of the draft standard by the working group before the technical standardization committee, for its deliberation;
- V. In the event that the result of the deliberation of the technical standardization committee is affirmative, whoever has prepared the proposed Standard will send it to the Secretariat for the publication of an extract of the project in the Integrated Technological Platform for Quality Infrastructure, for your public consultation.

When the preparation of the proposal for the Standard has been carried out by a Standardizing Authority, the complete project will be published on the Integrated Technological Platform for Quality Infrastructure;

- VI. Reception, analysis, review and resolution of comments received in public consultation by the technical standardization committee or the corresponding working group;

VII. Persons whose comments to the draft Standard are received in accordance with the provisions of the Regulations of the Law, but are not included in the draft Standard, will be invited to participate in the committee in charge of preparing the Standard prior to the publication of your extract in a definitive way, in order to know the reasons why your comments were not included and, where appropriate, provide additional elements that allow for their inclusion;

VIII. Deliberation by the respective technical standardization committee on the resolution of the comments received on the draft Standard, and

IX. In the event that the last deliberation of the technical standardization committee has been affirmative, whoever has prepared the proposed Standard will issue the new Standard and request the Secretariat to publish the extract on the Integrated Technological Platform for Quality Infrastructure.

Article 81. The National Standardization Bodies, the other subjects empowered to standardize or, if applicable, the Standardizing Authorities shall, under openness and inclusion rules, form permanent, collegiate and multisectoral technical standardization committees that will be in charge of preparing of the Standards, their dissemination, as well as the promotion of their compliance.

All interested sectors should be allowed to participate in the technical standardization committees for the elaboration of Standards, as well as the Standardizing Authorities and other competent authorities.

The integration, organization, operation and, where appropriate, coordination of the technical standardization committees shall be specified in the Regulations of this Law.

The technical standardization committees must subsist as long as the Standards they have developed remain in force.

Article 82. The period of public consultation of the Standards will be, at least, sixty calendar days from the calendar day immediately following that of their publication in the Comprehensive Technological Platform for Quality Infrastructure.

Article 83. Responsibility for the content of the Standards, as well as compliance with the provisions of this Law and its Regulations, shall rest exclusively with the National Standardization Bodies, subjects empowered to standardize or, where appropriate, the Standardizing Authorities that have issued the Standards.

Article 84. Controversies and other issues that arise in the process of elaboration of the Standards will be handled by the Secretariat, either by itself, or through the instances and other means defined in the Regulations of this Law. Among those instances, the constitution of a civil association made up of the National Standardization Bodies and other subjects empowered to standardize may be foreseen, whose integration, operation, scope and operation will be provided in the Regulations of this Law and which will be subject to the supervision of the Secretariat.

Chapter III

Of the Clarifications, Modifications and Cancellation of the Standards

Article 85. Whoever has issued a Standard, may clarify that Standard when there are spelling, numbering, cross-reference or other similar errors, as long as its technical content is not altered, for which, it must request the publication of the clarification in the Integral Technological Platform of Quality Infrastructure.

Article 86. For the modification of the Standards, the same procedure established in article 80 of this Law must be followed, with the understanding that its Regulations may establish simplified modification procedures, when they do not imply substantial changes.

Article 87. The Standards may be canceled at any time by those who issued them, and the cause must be justified. For the cancellation of the Standards, the same procedure must be followed as for their elaboration, with the understanding that the Regulation may establish simplified procedures. Notwithstanding the foregoing, the Commission may order the cancellation of the Standards, when the result of the systematic review that has been carried out has not been notified, in a timely manner, or when the Commission identifies that in its preparation, clarification or modification The provisions of this Law and its Regulations were not complied with, and they must respond to third parties for the damages that, in their case, they could be caused.

Chapter IV

From the Systematic Review

Article 88. Whoever has issued a Standard, must review it at least every five years after its publication in the Integral Technological Platform for Quality Infrastructure or that of its last modification, through a systematic review process that complies with the provisions of the Regulations of this Law, having to notify

the Executive Secretary of the Commission of the result thereof, within sixty days after the end of the corresponding five-year period.

The Secretariat will publish the result of said review in the Integrated Technological Platform for Quality Infrastructure.

In the absence of prior review and notification, the Commission may order the cancellation of the corresponding Standard.

Article 89. When the Commission identifies that a Standard violates, affects or jeopardizes the proper development of the market, it must give the Federal Commission on Economic Competition due effect.

Chapter v

Compliance with Standards and their Demonstration

Article 90. In order to demonstrate compliance with the Standards, the provisions of the specifically applicable Conformity Assessment Procedure will be followed; In the event that the Standard does not contemplate this procedure, the person responsible for the respective good, product, process or service may express a self-declaration of conformity as long as there is a low level of risk.

Article 91. The Conformity Assessment will be carried out by the accredited Conformity Assessment Bodies and only exceptionally by the Standardizing Authorities in accordance with the provisions of article 66 of this Law.

SECOND TITLE

OF SUBJECTS ENABLED TO STANDARDIZE

Chapter I

Of the Moral Persons with Interest

Article 92. The chambers, academic and research institutions, schools and associations, as well as any other legal entity, provided that they prove their interest before the Ministry, may be authorized as a subject empowered to standardize in the particular matter in question, in accordance with the provisions of article 78 of this Law. For these purposes, the interested party must meet the following requirements:

I. Present the request to the Secretariat, with a copy to the Standardizing Authority competent in the matter, branch or economic sector that it intends to standardize for its opinion;

II. Identify the subject on which it intends to carry out standardization work, as well as the branch or economic sector to which it belongs;

III. That its corporate purpose and activities agree with the subject to be standardized;

IV. Demonstrate that you have the legal, technical, administrative and financial capacity to develop Standards;

V. A statement that you will review and use International Standards on the matter as a basis;

VI. Present the methodology that will follow for the elaboration of the Standards, including the integration, organization and operation of the corresponding technical standardization committee. Any substantial change in this methodology must be presented for approval by the Secretariat, and

VII. The others provided for in the Regulations of this Law.

The chambers, academic and research institutions, schools and associations, as well as any other legal entity that has obtained the authorization of the Secretariat as subjects empowered to standardize may carry out standardization tasks, on the understanding that such authorization will be limited to the matter, specific branch or economic sector in question.

The Secretariat shall issue guidelines annually to avoid duplication in standardization work and shall publish the authorizations that it grants to the subjects empowered to standardize in the Official Gazette of the Federation and in the Integrated Technological Platform for Quality Infrastructure.

Chapter II

National Standardization Bodies

Article 93. The National Standardization Bodies are legal entities registered with the Secretariat, whose main objective is the elaboration, modification and cancellation of Standards. To obtain registration as a National Standardization Body by the Secretariat, the following is required, in accordance with the provisions of the Regulations of this Law:

I. Submit the request to the Secretariat; with a copy to the Standardizing Authority competent in the matter, branch or economic sector that it intends to standardize for its opinion;

II. Have national coverage and Identify the subject, branch or economic sector on which it intends to carry out standardization work;

III. Accredited having the standardization activity and technical capacity in the matter, administrative, financial and human as a corporate purpose, including to participate in international standardization activities;

IV. Detail your organizational structure;

V. Detail the methodology that will be used to carry out standardization tasks. Any substantial change in this methodology must be presented for approval by the Secretariat;

VI. Adopt and comply with the Code of Good Practice for the elaboration, adoption and application of standards of the Agreement on Technical Barriers to Trade of the World Trade Organization; and

VII. The others provided for in the Regulations of this Law.

Legal entities that have obtained the registration of the Secretariat as National Standardization Bodies may carry out standardization tasks, with the understanding that this registration will be limited to the subject, branches and economic sectors on which it has been granted.

The Secretariat shall issue guidelines annually to avoid duplication in standardization work and shall publish the records granted to National Standardization Bodies in the Official Gazette of the Federation and in the Integrated Technological Platform for Quality Infrastructure.

Chapter III

The Standardizing Authorities in the Work of Standardization

Article 94. The Standardizing Authorities may carry out standardization tasks only exceptionally, in the cases provided for in the Regulations of this Law or in other applicable legal provisions.

THIRD BOOK OF METROLOGY

FIRST TITLE

OF THE METROLOGY SYSTEM AND THE SCIENTIFIC METROLOGY

Chapter I

On the Integration of the Metrology System and the Scope of Scientific Metrology

Article 95. The metrology system is part of the National System of Quality Infrastructure, its objective is to ensure the uniformity and reliability of the measurements carried out in the country and to ensure their comparability with respect to those made in other countries, through scientific metrology, legal metrology and industrial metrology. The metrology system is made up of the National Metrology Center, the Designated Metrology Institutes, the Accreditation Bodies, the Conformity Assessment Bodies and other public or private entities that the Secretariat determines, with the favorable opinion of the National Center for Metrology or the Designated Metrology Institutes.

Article 96. Scientific metrology encompasses the activities carried out in the establishment of national standards for measurement and certification of reference materials; in updating the General System of Measurement Units; in scientific research and technological development in metrology; in the participation in the Mutual Recognition Agreement of the International Committee of Weights and Measures; as well as its disclosure, the dissemination of the measurement units and their traceability.

Chapter II

Of the General System of Units of Measurement

Article 97. In the United Mexican States, the General System of Measurement Units is the only official one and of obligatory use. The units of the General System of Measurement Units, as well as their symbology and their writing rules will be consigned in the Official Mexican Norms that are issued for such effect and in the Standards referred to therein, which will be prepared, issued and updated by the Secretariat in coordination with the National Metrology Center.

The use of units other than those that are part of the General System of Measurement Units is not allowed for commercial transactions, provision of services, documentation and announcements of products and services, publications or training, with the following exceptions:

I. Documentation and references to goods and services made before updating any of the units;

II. When mention is made of units not included in the General System of Measurement Units as part of a historical perspective;

III. Documents and publications intended for users in countries that have different unit systems;

IV. In the case of international conventions, agreements or treaties that prescribe the use of those specific units of measurement, and

V. When the Ministry authorizes the use of units of measurement from other systems. In such cases, their equivalence with those of the General System of Measurement Units shall be expressed, together with the units of other systems, unless the Secretariat itself exempts this obligation in accordance with the provisions of the Regulations of this Law.

Article 98. The Secretariat, where appropriate, assisted by the National Metrology Center, will verify the use of the General System of Measurement Units in the public and private spheres.

Chapter III

On the Traceability of the Measures

Article 99. The National Metrology Center and the Designated Metrology Institutes are in charge of developing, maintaining metrology and improving national measurement standards, which are the origin of the traceability of the measures carried out in the country towards the General System of Measurement Units.

Article 100. For the establishment of national measurement standards, the National Metrology Center or the Designated Metrology Institutes must:

I. Request the Executive Secretariat of the Commission to register the projects for establishing national measurement standards in the Program. Only new national measurement standards may be established whose projects are included in the Program of the year in question;

II. The National Metrology Center will carry out a technical evaluation of the metrological characteristics of the draft national measurement standard, for which it may request the technical opinion of other members of the metrology system, and

III. Based on this technical evaluation, the National Metrology Center, with the knowledge of the Secretariat, will authorize the establishment of the national measurement standard in question, and must request its publication in the Integrated Technological Platform for Quality Infrastructure.

Article 101. In the absence of a national measurement standard of any magnitude of interest to the country, the National Metrology Center or the Designated Metrology Institutes may authorize the traceability of the measurements to international or foreign measurement standards, in accordance with the provisions of the Regulations of this Law. These authorizations must be published on the Integrated Technological Platform for Quality Infrastructure.

Article 102. Certified reference materials serve as the basis for assigning magnitude values to measurement standards or reference materials for the magnitude class concerned to ensure the traceability of measurements.

The National Metrology Center and the Designated Metrology Institutes are authorities recognized by the Secretariat to issue technical documentation, certification, which will accompany certified reference material when it complies with this Law.

When there is a reference material certified by a National Metrology Institute or Designated Metrology Institute of any participating country in the Agreement, it will be considered as recognized by the Secretariat, after the opinion of the National Metrology Center or the Designated Metrology Institute that it corresponds.

When the existence of certified reference materials in the country is insufficient, the Secretariat shall authorize, after obtaining the opinion of the National Metrology Center or the Designated Metrology Institutes, the use of reference materials produced by third parties in accordance with the provisions of the Regulations of this Law.

Article 103. To ensure the traceability of measurements in the metrology system, accredited calibration and measurement laboratories will comply with the provisions of the Regulations of this Law.

Chapter IV

From the National Metrology Center

Article 104. The National Metrology Center is a decentralized body with legal personality and its own assets, sectorized to the Secretariat, with the aim of carrying out scientific research and technological development in metrology and its applications, to contribute to the well-being of society and to inclusive economic development.

Article 105. In addition to the powers expressly conferred in this Law and its Regulations, the National Metrology Center shall have the following powers:

I. Serve as the National Metrology Institute and coordinator, in conjunction with the Secretariat, of the metrology system;

II. Develop, establish, preserve national measurement standards and certified reference materials and disseminate their values with the aim of being the origin of the traceability of measurements carried out in the country, subject to the fact that the national measurement standard or Certified reference material may be established by a Designated Metrology Institute in accordance with its competence in the matter;

III. Authorize the national measurement standards and certified reference materials, with the knowledge of the Secretariat, established and developed by the Designated Metrology Institutes;

IV. Carry out scientific research, technological development and innovation activities, as well as technology transfer and dissemination, to strengthen and advance knowledge in metrology, in order to ensure, improve the accuracy and reliability of the measurements that are they carry out commercial, service, productive, scientific and technological activities in the country;

V. With the authorization of the Secretariat, grant the character of Designated Metrology Institute in accordance with the provisions of this Law and its Regulations;

VI. Comment on the inclusion of public or private entities as participants in the metrology system, at the request of the Secretariat, in accordance with the provisions of this Law and its Regulations;

VII. Provide measurement standards calibration and measurement services and measuring instruments; certify and provide reference materials and issue the corresponding certificates; provide advisory services and carry out technological development projects for user sectors;

VIII. Carry out third-party expertise, at the request of a party; as well as carry out measurements or tests in the Conformity Assessment processes, at the request of the Secretariat, the other Standardizing Authorities, or the Conformity Assessment Bodies;

IX. Participate in the elaboration of Official Mexican Norms and Standards, among others, and carry out technical feasibility studies on legal metrology in which the legal control of instruments to measure is established and that must be considered in the Conformity Assessment Procedure;

X. In terms of the Official Mexican Norms, approve the models of instruments to measure subject to legal control;

XI. Collaborate with educational, research and technological development institutions in the development of metrology through collaboration agreements or administrative mechanisms at the national or international level, and

XII. The others necessary for the development of its activities that are established in the applicable laws and regulations.

Article 106. The National Metrology Center will be made up of a Board of Directors, a General Director and the required trustworthy and operational personnel.

Article 107. The Board of Directors of the National Metrology Center will be made up of the holders or those they designate from the Secretariats of Economy; Treasury and Public Credit; Energy; Public education; Communications and Transportation; Health; Agriculture and Rural Development; Environment and Natural Resources; Work and Social Welfare; the rector of the National Autonomous University of Mexico or whoever he designates; the general director of the National Polytechnic Institute or whoever he designates; the general director of the National Council of Science and Technology or whoever he designates; the person in charge of the Federal Consumer Attorney's Office or whoever he designates; the presidents of the National Confederation of Industrial Chambers, the National Chamber of the Transformation Industry and the National Confederation of Chambers of Commerce or whoever they designate.

The Board of Directors of the National Metrology Center will be chaired by the head of the Secretariat. The secretariat or equivalent of the Board of Directors will also fall to the Secretariat.

Article 108. The Board of Directors will have the following powers:

I. Prepare its organic statute, as well as its operation manual, which must be published in the Official Gazette of the Federation and in the Integrated Technological Platform for Quality Infrastructure;

II. Study and, where appropriate, approve the annual operating program;

III. Analyze and approve, where appropriate, the periodic reports rendered by the Director General;

IV. Approve and monitor the exercise of the budget of the National Metrology Center;

V. Authorize the creation of technical and support committees;

VI. Approve the performance of other activities aimed at achieving the purposes of the National Metrology Center;

VII. Resolve the matters of the National Metrology Center that are not foreseen in its organic statute, and

VIII. The others indicated by the applicable laws, regulations and legal provisions.

Article 109. The Director General of the National Metrology Center will be directly appointed by the President of the Republic and will be in office for a period of six years. However, the Director General may be removed from office by the President of the Republic, in any case.

Public servants in the immediate hierarchies below the Director General will be appointed by the Board of Directors at the request of the Director General, in accordance with the provisions of the organic statute, based on the experience, merit and academic profile of each candidate.

Article 110. The Director General of the National Metrology Center will have the following powers and obligations:

- I.** Represent the organization before other public or private national or foreign institutions;
- II.** Prepare the annual operating program and submit it to the consideration of the Board of Directors; as well as to seek its execution;
- III.** Establish and maintain relationships with other national or foreign public or private institutions and with international and foreign metrology organizations;
- IV.** Constitute and coordinate or delegate the coordination of specialized metrology work groups;
- V.** Formulate the project of the organism's annual budget, submit it to the consideration of the Board of Directors and monitor its exercise;
- VI.** Submit periodic reports to the Board of Directors regarding the activities carried out, the budget exercised and in the other matters that the Board of Directors must know;
- VII.** Execute the agreements of the Board of Directors and, in general, carry out the activities for the proper fulfillment of the functions of the National Metrology Center and the programs approved for this purpose, and
- VIII.** The others necessary for the development of its activities or that the organic statute is established.

Article 111. The personnel of the National Metrology Center will be incorporated into the regime of Security and Social Services of Workers at the Service of the State and their relations with the National Metrology Center will be governed by the Federal Law of Workers at the Service of the State, Regulatory of Section B) of Article 123 of the Constitution.

Article 112. The assets of the National Metrology Center will be integrated with:

- I.** The assets provided by the Federal Government;
- II.** The resources that the Federal Government assigns annually within the approved budget to the Secretariat;
- III.** The income you receive for the services you provide and those that result from the use of your assets;
- IV.** The resources contributed by national or foreign organizations, public or private, for the development of scientific research and technological development projects, with prior information and approval from its Board of Directors;
- V.** Donations, contributions, bequests in money and / or kind, prior information and approval of its Board of Directors;
- VI.** Other assets you receive for legal or similar acts, and
- VII.** The other goods and rights that it acquires for the realization of its purposes.

Chapter v

From the Designated Institutes of Metrology

Article 113. The Designated Metrology Institutes are public entities that hold such character by express appointment of the National Metrology Center, with prior authorization from the Secretariat, to participate in the Mutual Recognition Agreement of the International Committee of Weights and Measures representing the country in the establishment of national measurement standards and in the provision of

metrological services according to their measurement and calibration capabilities in the metrology areas designated by authorization of the Secretary, as well as to meet specific needs in the metrology system.

The National Metrology Center must inform the competent international bodies of the establishment of Designated Metrology Institutes, as well as request their publication in the Integrated Technological Platform for Quality Infrastructure.

Article 114. The Board of Directors of the National Metrology Center, with the approval of the Secretariat, will request the publication in the Official Gazette of the Federation, as well as in the Integrated Technological Platform for Quality Infrastructure, of the procedure for the appointment of a public entity as the Designated Metrology Institute. This procedure must provide that, in any case, it will be necessary to have the prior approval of the public entity in question.

Article 115. Public entities that are recognized as Designated Metrology Institutes, in addition to the provisions of the National Metrology Center in the designation act and the provisions of this Law and its Regulations, must:

I. Comply with the actions established in international agreements, conventions and treaties within the scope of their designation;

II. Comply with the obligations established in the laws or regulations and abide by the other legal provisions that are necessary for the fulfillment of its activities;

III. Comply with the agreements and / or derivative contracts to which they are a party;

IV. Establish and develop national measurement standards and certified reference materials that are within its scope and that are the origin of the traceability of measurements in the country;

V. Represent the country before international organizations, in matters of scientific and legal metrology, within the scope of its powers;

VI. Provide metrological services with traceability to national measurement standards, including certification of applicable reference materials;

VII. Carry out research activities in metrology and related subjects, collaborate with other national and international organizations for scientific research and technological development in the metrology matters of their responsibility;

VIII. Respond to requests, observations and recommendations made by the Commission or the National Metrology Center, and

IX. Coordinate with the National Metrology Center in the development of those activities where your participation is required.

SECOND TITLE

LEGAL METROLOGY

Chapter I

Of the Principles of Legal Metrology

Article 116. Legal metrology includes the activities related to the legal metrological control of instruments to measure established by the Evaluation of Conformity of the Official Mexican Norms and Standards of legal metrology.

When legal metrology activities are established in the Official Mexican Norms and Standards, the recommendations provided by the International Organization of Legal Metrology must be followed.

Article 117. It corresponds to the Standardizing Authorities, in coordination with the National Metrology Center or the Designated Metrology Institutes, to establish the metrological requirements of the instruments to measure subject to legal control and that must be considered in the Conformity Assessment, which should be established in the Official Mexican Standards of legal metrology.

Article 118. The Standardizing Authorities, within the scope of their competence, will elaborate Official Mexican Standards of legal metrology with the participation of the National Metrology Center and, where appropriate, of the Designated Metrology Institutes, when for the protection of legitimate objectives in the public interest, it is necessary to establish the legal metrological control of instruments to measure to ensure compliance and compliance with them. The Secretariat, when it deems it convenient, may participate in the preparation of these Official Mexican Standards in coordination with the other Standardizing Authorities.

The metrological requirements established by the Official Mexican Standards of Legal metrology and the Standards referred to therein regarding the legal metrological control of the instruments to measure

must be commensurable and proportional to the risks that may affect any legitimate objective of public interest, when carrying out For the Evaluation of Conformity, there is the possibility of having unreliable measurement results as a consequence of the use of instruments to measure that are not under legal metrological control.

Article 119. It is the responsibility of the Secretariat, being able to help the National Metrology Center and, where appropriate, the Designated Metrology Institutes, to prepare the Official Mexican Standards of legal metrology that seek to ensure fairness in commercial transactions and provision of services.

It can be exempted from using the instruments to measure provided in these Official Mexican Standards, in commercial transactions or in the provision of services that are carried out based on quantity, in accordance with the provisions of the Regulations of this Law.

The Regulations will determine the bases and rules for the publication in the Official Gazette of the Federation of those specific measurement instruments that are mandatory.

Article 120. Products packed or packaged by manufacturers, importers or merchants must display the information on legal metrology established by the Official Mexican Norms and Standards referred to therein, as well as the other information provided in these.

Chapter II

Model Approval of Measuring Instruments

Article 121. The measuring instruments used to carry out Conformity Assessment activities must satisfy the technical and metrological requirements established in the Official Mexican Norms of legal metrology and Standards referred to therein.

Article 122. Users or holders of measuring instruments have the obligation to allow any person affected by the result of a measurement to ensure that the procedures used in it are appropriate and correspond to the provisions of the applicable Official Mexican Standards. and the Standards provided there.

Article 123. In the case of the approval of models or prototypes of instruments to measure, among others, the Official Mexican Standards of legal metrology will establish the classes of accuracy, measurement and test methods; where appropriate, the maximum tolerated errors and measurement uncertainty; and the general characteristics of the same.

Article 124. The instruments to measure that are subject to legal metrological control, both nationally manufactured or imported, require the model approval by the National Metrology Center or the corresponding Designated Metrology Institutes, prior to their commercialization, when they serve as a basis or are used to:

- I. A commercial transaction or to determine the price of a service;
- II. Payment of public services;
- III. The remuneration or estimation, in any form, of personal tasks;
- IV. Acts of an expert, judicial or administrative nature, or
- V. These are activities that may affect the legitimate objectives of public interest protected by the Official Mexican Standards of legal metrology.

The provisions of the preceding paragraph shall also be applicable to instruments to measure subject to legal metrological control, both nationally manufactured or imported, that have legally relevant computer programs or software and that are used in the measurement activities established in the Standards. Mexican officers of legal metrology and the Standards referred to there. The model approval of the instruments to measure subject to legal metrological control shall be subject to the provisions of the Regulations of this Law.

The corresponding National Metrology Center or Designated Metrology Institutes may revoke the approval of the model or prototype when there are justified reasons for it.

Article 125. The National Metrology Center or the Designated Metrology Institutes must inform the Secretariat of a list that identifies the instruments to measure subject to legal metrological control that have the approval of the model to be published on the Technology Platform. Comprehensive Quality Infrastructure and, where appropriate, revocation thereof.

Article 126. The instruments to measure subject to an Official Mexican Norm in the matter of legal metrology and that have model or prototype approval in terms of article 124 of this Law, must comply with the procedures for the Evaluation of Conformity provided in those rules.

Article 127. Instruments to measure subject to legal metrological control that do not comply with the requirements set forth in the Official Mexican Standards regarding legal metrology will be immobilized

by the competent authority before their sale or use, or during their use until as long as the please. Those instruments to measure that cannot be conditioned to meet these requirements will be immobilized by the competent authority to prevent their use.

THIRD TITLE

OF INDUSTRIAL METROLOGY

Article 128. It is the responsibility of the productive industries to ensure the traceability of the measurements they make, in order to contribute to the reliability and uniformity of the measurements, in coordination, when necessary, with the National Metrology Center, the Designated Metrology Institutes, the Conformity Assessment Bodies, and the Standardizing Authorities.

Likewise, the productive industries may participate in the elaboration of Standards related to metrology.

Article 129. It corresponds to the industrial sector, when so required, to cooperate with the National Metrology Center, with the Designated Metrology Institutes and the Standardizing Authorities, providing the information required, in order to strengthen national participation in those international organizations recognized by the government of the United Mexican States and in other forums in which the country must actively participate in the field of metrology.

Article 130. It is the responsibility of the industrial sector to inform the National Metrology Center, the Designated Metrology Institutes and the Secretariat of the progress and improvements that may be incorporated into the metrology system that do not contravene the applicable legal framework.

The Secretariat, the National Metrology Center and the Designated Metrology Institutes will analyze and, if deemed appropriate, incorporate these improvements into the activities they carry out to strengthen the metrology system.

BOOK FOUR

FINAL PROVISIONS

FIRST TITLE

OF THE INTEGRAL TECHNOLOGICAL PLATFORM FOR QUALITY INFRASTRUCTURE

Article 131. In order to make public management more efficient, facilitate the fulfillment of obligations by individuals and reduce transaction costs, it is the responsibility of the Secretariat to establish and operate the Comprehensive Technological Platform for Quality Infrastructure under the terms set forth in this Law and its Regulations.

The Comprehensive Technological Platform for Quality Infrastructure will serve as the main means of dissemination and consultation of the Official Mexican Norms, Standards and national standards of measures.

With the purpose of promoting, promoting and disseminating the culture of transparency in carrying out the activities of normalization, standardization, Conformity Assessment and metrology, in terms of the provisions of this Law and its Regulations, the Platform will publish:

- I. The Official Mexican Standards, as well as the catalog of Official Mexican Standards;
- II. An extract from the Standards issued by the subjects empowered to standardize or by the National Standardization Organizations;
- III. The Standards issued by the Standardizing Authorities;
- IV. The Program and its supplement;
- V. The list of instruments to measure that have the approval of the model or prototype;
- VI. Accreditation Bodies and Conformity Assessment Bodies;
- VII. The relationship of the subjects empowered to standardize and the National Standardization Organizations;
- VIII. The Designated Metrology Institutes;
- IX. Public and private national or international entities that are part of the metrology system, as well as National Measurement Standards, Certified Reference Materials and Measurement and Calibration Capacities recognized to the National Metrology Center by international bodies in the matter;
- X. List of international standards in accordance with the provisions of section XV of article 4 of this Law;
- XI. Mutual recognition agreements and equivalency agreements;

XII. The National Standardization Advisory Committees, Mexican Committees, as well as the technical committees on standardization, and

XIII. Those established in the Regulations of this Law.

Article 132. The Secretariat may coordinate, through collaboration agreements or other means provided in the Regulations, with other Standardizing Authorities, the National Metrology Center, the Designated Metrology Institutes and other participants in the National System of Quality Infrastructure, to interoperate between their systems and the Comprehensive Technological Platform for Quality Infrastructure, seeking to make their operation more efficient.

Article 133. The information provided in the Comprehensive Technological Platform for Quality Infrastructure will be public, free and freely accessible to all the public, except for the Standards issued by the subjects empowered to standardize and the National Standardization Bodies, as well as the other exceptions to confidentiality and protection of personal data provided for in the applicable legislation, and those expressly provided for in the Regulations of this Law.

The information reported in the Comprehensive Technological Platform for Quality Infrastructure is the responsibility of whoever generates it.

Article 134. Provided that the Secretariat authorizes it, the activities of standardization and Evaluation of Conformity may be carried out online, totally or partially, through the Integrated Technological Platform for Quality Infrastructure.

For these purposes, the Secretariat will issue the guidelines that will regulate access to it by the interested parties, as well as the electronic formats that must be used for those purposes; These guidelines must be published in the Official Gazette of the Federation and in the same Integrated Technological Platform for Quality Infrastructure.

Article 135. Subject to the provisions of the Regulations of this Law, for Verification, Surveillance and market surveillance acts, use may be made of computer applications that communicate with the Integrated Technological Platform for Quality Infrastructure.

SECOND TITLE

OF INCENTIVES

Article 136. With the purpose of promoting citizen trust, innovation, technological development, quality in the production of goods and services, as well as compliance and observance of the Official Mexican Norms and Standards, the Secretary may, in the individually or in coordination with other public or private entities, including national credit societies, establish incentive schemes in favor of individuals, in accordance with the provisions of this Act, its Regulations and in accordance with the provisions of the the Citizen Trust.

Article 137. The National Quality Award granted by the Secretariat aims to annually recognize and reward the efforts and achievements of manufacturers, producers, marketers and managers of goods, products, processes and services, to constantly improve them, seeking quality, thus such as compliance with the Official Mexican Norms and the mandatory Standards.

The procedure for the selection of creditors for the National Quality Award, the way to use it and the other necessary precautions, will be established by the Regulations of this Law.

Article 138. The Secretariat, the other Standardizing Authorities, the National Metrology Center and the Designated Metrology Institutes, may enter into collaboration and agreement agreements with higher education institutions and professional associations or colleges, to constitute study and training programs with the object of training qualified technicians and promoting the activities referred to in this Law.

THIRD TITLE

MARKET SURVEILLANCE, VERIFICATION AND SURVEILLANCE

Article 139. The Standardizing Authorities and other competent authorities shall carry out permanent surveillance of the market in the terms provided for in this Law, its Regulations and other applicable legal provisions, and in compliance with the objectives and principles pursued by this Law through of:

- I.** The acts of Verification of the goods, products, processes and services;
- II.** The acts of Vigilance;
- III.** The supervision of the self-declaration of conformity by the subjects bound by the Official Mexican Norms and, where appropriate, the Standards;
- IV.** The systematic review of the Official Mexican Norms and Standards;

V. Protection of consumer rights, and

VI. Adequate coordination between the different competent authorities, for the proper functioning and development of the National Quality Infrastructure System.

Article 140. The subjects obligated under the Official Mexican Norms and the Standards that are obligatory in terms of this Law, at all times, must comply with the provisions therein and will be solely responsible for their non-compliance.

Failure to comply with the Official Mexican Norms and the Mandatory Standards in terms of this Law will be administratively sanctioned by the competent authorities in the terms provided in this Law and in the other applicable legal provisions, regardless of any civil or criminal liability.

Article 141. Accreditation Bodies and Conformity Assessment Bodies, in any case, must comply with the provisions of this Law and will be responsible for their non-compliance. The breaches will be sanctioned administratively by the competent authorities under the terms of this Act and other applicable laws, regardless of any liability civil or criminal.

Article 142. The competent authorities may carry out Verification acts, in addition to the applicable Conformity Assessment procedures, as well as Surveillance acts.

The Verification and Surveillance procedures indicated in this Law will be independent from those provided in the other applicable legal provisions.

For the purposes of this Law, the Authorizing Authorities that have issued the Official Mexican Standards, those identified as such in each of those Official Mexican Standards, as well as the other authorities that have powers to do so.

Likewise, the competent authorities for performing Surveillance acts will be understood to be the Secretariat with regard to the Accreditation Bodies, the Standardizing Authorities that have granted the corresponding approval to the Conformity Assessment Bodies with regard to these, as well as the other authorities that have faculties for it.

In the Verification acts, the competent authorities shall consider the provisions of the Conformity Assessment Procedure applicable to the respective Official Mexican Standard or Standard.

Article 143. Of each act of Verification or Surveillance, as appropriate, a detailed record will be drawn up regardless of the result, which will be signed by the representative of the authority and by the person to whom this diligence was performed; failure to sign it will not affect its validity. The minutes shall state:

I. Name, denomination or company name of the person to whom the act of Verification or Surveillance was carried out;

II. Time, day, month and year in which the diligence begins and ends;

III. Street, number, population or neighborhood, municipality or city hall, postal code and federal entity in which the place where the Verification or Surveillance act is located is located;

IV. Number and date of the official letter of the authority that motivated the Verification or Surveillance;

V. Name and title of the person with whom the diligence was understood;

VI. In your case, name and address of the people who served as witnesses;

VII. Data related to the action, including: the method or procedure used; the result of the Verification or Surveillance and the others that the authority considers relevant to add.

With regard to the acts of Verification, it should also be included as data related to the action, when applicable: if the envelope, container or packaging that contained the samples shows signs of having been violated or not, if applicable, if the individualized product was not substituted; and the number of samples in which the Verification was carried out;

VIII. Declaration and, where appropriate, statements of the person to whom the Verification or Surveillance is made, if present and would like to do so, and

IX. Name and signature of those who intervened in the procedure, including the data and identification of who carried it out.

Article 144. If from the result of the first act of Verification, it follows that the good, product, process or service does not comply with the Official Mexican Norms or Standards that are mandatory, at the request of the interested party, the competent authority may authorize another Verification act. If in that second act of Verification it is demonstrated that the good, product, process or service complies with the Official Mexican Standard or applicable mandatory Standard, the first result will be considered distorted, if it does not comply, it will be considered confirmed.

The interested party must request the second verification within the term of five business days following that in which the result of the first verification became known. If not requested, the result of the first verification will be final.

For the purposes of this Law, acts of Verification are understood to be those carried out in places where a good or part of it is produced, a process or some phase of it is carried out, or a service is provided ; or that which is carried out through sampling and testing.

Article 145. In accordance with what is stated in this Law and in its absence in the Federal Law of Administrative Procedure, all acts of Verification and Surveillance will be carried out on working days and hours and only by authorized personnel, after valid identification and exhibition of the trade respective, unless the authority expressly authorizes its realization or conclusion, as the case may be, on non-working days and hours in order to avoid the commission of infractions.

Manufacturers, producers and service providers, their subordinates or managers of establishments in which a good or part of it is produced, a process or some phase of it is carried out or services are provided subject to this Law, will have the obligation to allow access and provide the necessary facilities to people authorized by the competent authorities to practice Verification. The same obligation will be applicable to the Accreditation Entities and Conformity Assessment Bodies regarding the acts of Surveillance.

The persons to whom the Verification or Surveillance is carried out may make observations in the act of diligence and offer evidence in relation to the facts contained in it or, in writing, make use of such right within the term of five days following the date in which the respective minutes have been drawn up.

Article 146. If during the act of Verification the collection of samples is necessary, the following will be followed:

I. The samples may be collected in the establishments in which a good or a part thereof is elaborated, or a process or a part thereof is carried out;

II. Samples will be collected in the strictly necessary quantity;

III. The samples will be selected at random and precisely by the people authorized by the competent authority;

IV. In order to prevent their replacement, the samples will be kept or insured, in such a way that their violation is not possible without leaving a trace;

V. In any case, the corresponding receipt will be granted with respect to the samples collected;

VI. The samples will be collected in duplicate, leaving some of them in the custody of the person to whom the Verification is carried out and on the other, a first Verification will be carried out. If from this first Verification it appears that there is no violation, the Verification will be null and void and the sample will be available to whoever has obtained it.

However, if this first Verification shows noncompliance with the Official Mexican Standard or Mandatory Standard, the Verification will be repeated if so requested, on another sample. If the non-compliance is confirmed from the result of this second Verification, the first result will be considered confirmed; and

VII. When the result of the Verification is notified, the samples will be available to the person from whom they were collected or, where appropriate, the surplus material, which will be made known to said person to collect it within the following three days if it is These are perishable or easily decomposable items. Manufacturers, producers and importers will have the obligation to replace to the distributors or merchants the samples collected from them that are destroyed.

In the case of non-perishable products, if in the period of a month counted from the date of notification of the result of the Verification, the samples or the surplus material are not collected, they will be given the destination that they deem convenient. collected.

While the respective Verification of the lot from which the samples were obtained is carried out, it can only be marketed under the strict responsibility of the owner of the same. In cases where there is a reasonable reason to suppose that the commercialization of the product affects the legitimate objectives of public interest protected by the Official Mexican Standard, the lot from which the samples were obtained may not be marketed, where appropriate, until the end of the act. Verification without detecting a breach or deficiency.

Article 147. If a certain deficiency appears from the act of Verification, the following procedure shall be followed:

I. If it is a breach of specifications set in Official Mexican Norms or mandatory Standards, the competent authority will immediately prohibit its commercialization, immobilizing the goods, until they are conditioned, reprocessed, repaired or replaced. If, due to the nature of the property, it is not possible, the

necessary measures will be taken so that they are not used or provided for the purpose for which they would be used to comply with said specifications.

Additionally, if the property is in commerce, merchants or service providers will have the obligation to abstain from its sale or provision as of the date on which the resolution is notified, it is published in the Official Gazette of the Federation, in the Integral Technological Platform of Quality Infrastructure or in any other massive means of communication.

When the breach may affect the legitimate objectives of public interest protected by the Official Mexican Standard, merchants or providers will refrain from disposing of the goods from the moment it is made known to them. The mass media should immediately disseminate such events at the request of the competent authority.

In the case provided for in this section, the producers, manufacturers, importers and their distributors will be responsible for immediately recovering the goods.

Regardless of the other applicable civil liabilities, those who are responsible for the breaches referred to in this section, will have the obligation to replace the merchants the goods whose sale or provision is prohibited, by others who meet the corresponding specifications or, in their In case, reimburse or reimburse them for their value, as well as cover the expenses incurred for treatment, recycling or final disposal, in accordance with the applicable legal regulations and the recommendations of recognized experts in the matter in question.

The delay in compliance with the provisions of this paragraph may be penalized with fines for each day that passes, in accordance with the provisions of article 155 of this Law.

II. If it is a deficiency in the information on the net content or the drained mass of the packed or packaged goods, the competent authority may prohibit their sale until the information on the net content or the drained mass is read in legible characters or it is completed.

III. If the materials, elements, substances or ingredients that constitute or make up the property do not correspond to the indication they hold or the percentage of them is inaccurate to the detriment of the consumer, the sale of the entire lot or, where appropriate, all similar production, until such indications are corrected. If this is not possible, its sale will be allowed at the price corresponding to its true composition, as long as it does not imply any affectation to the legitimate objectives of public interest protected by the Official Mexican Standard.

IV. If it is non-compliance in the performance of a process or the provision of a service, its performance or provision will be suspended until the corresponding specifications are met.

The resolutions that are dictated based on this article will be without prejudice to the sanctions that proceed in terms of the applicable legal provisions.

Article 148. When the data or information contained in the labels, containers or packages of the products are inaccurate, whatever they may be, as well as the publicity made of them, the competent authorities, in coordination with the Secretariat, may order their modification. , granting the strictly necessary term for it, without prejudice to impose the appropriate sanction.

Article 149. As long as the competent authority dictates the resolution of the Verification act, the subjects to whom they are carried out may continue to market the goods, carry out the processes or provide the services under their strict responsibility. In cases where there is reasonable reason to suppose that the continuation of these acts will affect the legitimate objectives of public interest protected by the Official Mexican Standard, the competent authority may order the precautionary suspension of those acts.

Article 150. If a violation of the provisions of this Law is identified by the Accreditation Bodies or the Conformity Assessment Bodies, the competent authorities may, subject to the provisions of articles 160 and 161 of this Law. :

I. Partially or totally suspend its operation. This suspension will last as long as the respective obligations are not fulfilled, or

II. Revoke the authorizations granted to the Accreditation Bodies or the approvals granted to the Conformity Assessment Bodies.

The resolutions that are dictated in terms of this article will be without prejudice to the sanctions that proceed according to the applicable legal provisions, if any, until the Surveillance act ends without a noncompliance or deficiency has been detected.

FOURTH TITLE OF SANCTIONS

Article 151. The Standardizing Authorities in the areas of their competence must observe the provisions of this Law.

Violations of the provisions of this Law, its Regulations and other applicable legal provisions by the Standardizing Authorities, will be subject to the applicable regime regarding administrative responsibilities.

Regardless of the foregoing, such breaches will be brought to the attention of the Commission so that it may issue the appropriate measures.

Article 152. Violations or breaches of the precepts of this Law and the provisions emanating from it will be administratively sanctioned by the competent authorities.

When the authorities identify actions or omissions that could update a violation of other applicable legislation, they must notify the competent authorities.

Article 153. For the imposition of sanctions, as well as for carrying out the Verification and Surveillance acts, the competent authorities may act ex officio or in follow-up of complaints of non-compliance that are presented to them by any legitimate person.

Article 154. Without prejudice to the sanctions established in other legal systems, the sanctions applicable for breaches of this Law and the provisions that emanate from it will be the following:

- I. Warning
- II. Penalty fee;
- III. Temporary or definitive closure, which may be partial or total;
- IV. Administrative arrest for up to thirty-six hours;
- V. Suspension, cancellation or revocation of authorization, approval, accreditation, registration or designation, as appropriate;
- VI. Suspension or cancellation of the document stating the results of the Conformity Assessment, and
- VII. Suspension or prohibition of the commercialization of goods, products and services, including their immobilization to prevent their commercialization.

Article 155. The following actions or omissions will be sanctioned with a fine:

- I. From thirty to four thousand times the equivalent in Units of Measure and Update, when:
 - a) The information or documentation that it requires is not provided to the competent authority within the indicated term, in accordance with the powers and attributions provided in this Law;
 - b) The document that proves compliance with the Official Mexican Standards that is required is not exhibited;
 - c) Access is not allowed or the necessary facilities are not provided to persons authorized by the competent authorities to carry out Verification acts, or
 - d) Any other breach of this Law and its Regulations that does not have a sanction expressly applicable to it.
- II. From six hundred to nine thousand times the equivalent in Units of Measure and Update, when:
 - a) Without having notified the competent authority, as well as the Conformity Assessment Body that has evaluated it, modify a good, product, process or service subject to compliance with Official Mexican Standards;
 - b) The conditioning, reprocessing, repair, substitution or modification of goods, products, processes and services subject to compliance with Official Mexican Standards is not carried out, in the terms indicated by the competent authority;
 - c) Use any information or documentation that records the results of the Conformity Assessment or that verifies compliance with this Law and the provisions derived from it, for a purpose other than that which motivated its issuance;
 - d) Contraven provisions contained in the Official Mexican Norms and Standards that are mandatory, or
- III. Four thousand to fifteen thousand times the equivalent in Units of Measure and Update, when:
 - a) Actions or omissions are incurred that deceive the consumer or constitute a practice that could be misleading, including when compliance with an Official Mexican Standard or Standard has been self-declared or improperly manifested;
 - b) Official passwords or some other distinctive feature are held without the corresponding authorization; or

c) There are goods, products, processes and services immobilized by the competent authority.

IV. From six thousand to thirty thousand times the equivalent in Units of Measure and Update, when:

a) Actions or omissions are committed that imply serious risk to any of the legitimate objectives of public interest protected by the Official Mexican Norms;

b) Goods are imported that are subject to compliance with the Official Mexican Standards, without demonstrating their compliance in the terms provided in this Law, or

c) When the results of the Conformity Assessment are used, delivered or displayed without having performed it or those results are false or altered.

V. Forty-eight thousand to ninety-six thousand times the equivalent in Units of Measurement and Updating to people who, by themselves or through another person or through some denomination or company name, hold, by any means, against to the public as an authorized, approved, accredited, registered or designated person, without counting on them. The same sanction will be applicable to those who continue operating once their activities are suspended or their establishments are closed.

In addition to the fine, any of the sanctions established in the sections of article 154 of this Law may be imposed.

The term to make the payment of the fine imposed will be fifteen days from the effective date of the notification made, noting that, if not within this period, the corresponding tax authority will be given notice to initiate the administrative enforcement procedure in order to obtain payment.

Article 156. In all cases of recidivism, the fine imposed for the previous offense will be doubled, without, in each case, the total amount exceeding double the maximum set in the previous article, and may also order the administrative arrest of the offender.

Recidivism shall be understood, for the purposes of this Law and other provisions derived from it, each one of the subsequent infractions to the same provision, committed within two years from the date of the act in which the preceding infraction was recorded, provided that it had not been distorted.

Article 157. The sanctions will be imposed based on the minutes drawn up, on the results of the Verification or Surveillance acts, on the data that the goods, their labels, containers or packaging show, in the omission of those that should show, in based on the documents issued by the Accreditation Entities and Conformity Assessment Bodies or based on any other element or circumstance that proves a violation of this Law or the other provisions derived from it.

In any case, the resolutions regarding sanctions must be founded and motivated, taking into account the following criteria:

I. The intentional nature or not of the action or constitutive omission of the infraction;

II. The seriousness that the infringement implies in relation to trade in goods, the carrying out of processes or the provision of services, as well as the damage caused to consumers;

III. If applicable, the legitimate objective of public interest pursued by the Official Mexican Standard and the degree of affectation thereof, and

IV. The economic condition of the offender, in accordance with the elements that have been provided to the authority in question.

Article 158. When various infractions are recorded in the same act, the fines will be determined separately and, for the resulting sum of all of them, the respective resolution will be issued.

Also when two or more infractions are understood in the same act, the appropriate sanction will be imposed on each of them. If the offender did not intervene in the procedure, he will be given a view of the minutes for a period of ten days, after which, if he does not distort the infraction, the corresponding sanction will be imposed.

When the reason for an infraction is the use of several instruments to measure, the fine will be computed in relation to each one of them and if there are several violated preventions they will also be determined separately.

Article 159. When the commission of an infringement is determined and the offender has a document issued by a Conformity Assessment Body that supports the actions of the offender, a fine equivalent to that of the offender, provided that there has been negligence, intent or bad faith in said expedition, without prejudice to the other corresponding sanctions.

Article 160. The Secretariat and the other competent authorities, after complying with the right to a hearing in accordance with the provisions of the Federal Law of Administrative Procedure, may suspend totally or partially the authorization, approval, accreditation, registration or designation of

the Accreditation Bodies, Conformity Assessment Bodies, subjects empowered to standardize, National Standardization Bodies and Designated Metrology Institutes, when:

- I. Do not provide in a timely and complete manner the reports that are required regarding its operation and operation;
- II. Verification and Surveillance functions are impeded or hindered;
- III. The capacity necessary to carry out its functions is decreased;
- IV. The accreditation granted by an Accreditation Entity to a Conformity Assessment Body is suspended;
- V. The conditions established in the respective authorization, approval, accreditation, registration or designation are breached, or
- VI. The conditions established in the respective authorization, approval, accreditation, registration or designation are breached, or
- VI. Any other of its obligations in terms of this Law and the Regulations are not complied with, not expressly provided in article 161 below.

The suspension will last as long as the respective requirements or obligations are not fulfilled, and this can be specified in a specific area when possible.

Article 161. The Secretariat and the other competent authorities, after complying with the right to a hearing in accordance with the provisions of the Federal Law of Administrative Procedure, may revoke or cancel totally or partially the authorization, approval, accreditation, registration or designation of Accreditation Bodies, Conformity Assessment Bodies, subjects empowered to standardize, National Standardization Bodies and Designated Metrology Institutes, when:

- I. Issue or use accreditations, certificates, opinions, minutes or any other document that contains false information in the activities for which they were authorized, approved, registered or designated;
- II. Repeatedly or unreasonably refuse to provide the service requested;
- III. They repeat in the commission of any act that would have implied the suspension in terms of the previous article, or the decrease in capacity lasts for more than three consecutive months;
- IV. Expressly waive the authorization, approval, accreditation, registration or designation granted, or
- V. In the case of Conformity Assessment Bodies, their accreditation by an Accreditation Entity is canceled.

The revocation will entail the delivery to the competent authority of the documentation related to the activities for which said entities were authorized, approved, accredited, registered or designated, the prohibition to show off as such, as well as the use of any type of information or emblem relevant to such activities.

Article 162. The inappropriate use of instruments to measure to the detriment of any person will be sanctioned in accordance with the respective legislation.

TITLE FIFTH OF THE RESOURCES

Article 163. Individuals who consider themselves affected by the acts of the Accreditation Entities or the Compliance Assessment Bodies may file a claim resource before them.

The Accreditation Bodies or the Conformity Assessment Bodies must resolve the claims submitted by the interested parties, as well as notify the affected party of their response within a period not exceeding ten days, with a copy to the competent Standardizing Authorities.

Article 164. If the affected party does not agree with the response issued, he may file a written complaint with the Secretariat or, as the case may be, with the corresponding Standardizing Authority, attaching the supporting documents. The Standardizing Authority shall send a copy to the Accreditation Bodies or the corresponding Conformity Assessment Bodies so that a report justifying their action is rendered within a period not exceeding ten days.

From the analysis of the report rendered by the Accreditation Entity or the Conformity Assessment Bodies, the Secretariat or, as the case may be, the Standardizing Authority may resolve to reconsider, revoke or confirm its performance and, where appropriate, will proceed to apply the sanctions that correspond.

If the report is not surrendered, the manifestations of the affected party will be presumed certain and the Secretariat or, where appropriate, the Normalizing Authority will proceed in accordance with the preceding paragraph.

The Accreditation Bodies and the Conformity Assessment Bodies must keep the claims presented to them available to the competent agencies.

Article 165. The people affected by the resolutions issued by the competent authority based on this Law and other provisions derived from it, may file an appeal for review under the terms of the Federal Law of Administrative Procedure.

TRANSITORY

FIRST. This Decree will enter into force 60 days after its publication in the Official Gazette of the Federation.

SECOND. With the entry into force of this Decree, the Federal Law on Metrology and Standardization published in the Official Gazette of the Federation on July 1, 1992 and its reforms, are also repealed.

all provisions that are contrary to the provisions of this Law are abrogated or repealed.

THIRD. Within the term of twelve months counted from the entry into force of this Law, the Federal Executive shall issue its Regulations, while the Regulations of the Federal Law on Metrology and Standardization will continue to apply in what is not opposed.

FOURTH. The Proposals, Preliminary Drafts and Projects of Official Mexican Norms and Standards that are in process at the date of entry into force of this Decree and that have not been published, must comply with the provisions of the Federal Law on Metrology and Standardization, its Regulations and other secondary provisions in force at the time of its preparation and until its conclusion.

FIFTH. All procedures and requests that have been submitted in writing to the Standardizing Authorities prior to the entry into force of this Decree, will be resolved in accordance with the provisions of the Federal Law on Metrology and Standardization, its Regulations and other secondary provisions in force at the time of your presentation and until its conclusion.

SIXTH. The authorizations, accreditations, registrations and approvals that have been granted prior to the entry into force of this Decree, will be in force until they expire. For the renewal of these, the provisions contained in this Decree shall apply.

SEVENTH. The Ministry of Economy shall make the pertinent adjustments in the matter of normalization, standardization, conformity assessment and metrology, as well as issue the guidelines that will regulate access to the Integral Technological Platform for Quality Infrastructure by the interested parties, and the Electronic formats that must be used for these purposes, within the 180 calendar days following the entry into force of the Regulations of this Law.

EIGHTH. Administrative provisions regarding standardization, standardization, conformity assessment and metrology, particularly those related to the development of official Mexican standards and the approval of national standardization bodies, certification bodies, testing and calibration laboratories and units of verification, contained in other systems; issued prior to the entry into force of this Law, will remain in force in all that is not opposed to it, until the provisions that replace them pursuant to it are issued.

NINETH. References that, in other laws and other legal provisions, as well as the name of the Conformity Assessment Bodies are made to the Federal Law on Metrology and Standardization regarding questions of standardization, conformity assessment and metrology, those referred to in the Quality Infrastructure Law will be understood.

TENTH. The Ministry of Economy and the Standardizing Authorities will carry out the necessary actions so that the implementation of the provisions set forth in this Law is carried out with the resources approved in its budget, so they will not require additional resources for such purposes and will not increase their Regularizable budget for the current fiscal year and subsequent ones.

ELEVENTH. The Ministry of Economy will assume the Permanent Presidency of the National Commission for Quality Infrastructure, as of January 1 of the year following the publication of this Decree in the Official Gazette of the Federation.

Likewise, the provisions of article 16 of this Law regarding the formation of the National Commission for Quality Infrastructure must be formalized in the terms established in the preceding paragraph.

TWELFTH. The provisions of article 45 of this Law regarding the applicable rates and prices, as well as the methodology used for its determination, will take effect within 180 calendar days from the entry into force of this Decree.

THIRTEENTH. The National Commission for Quality Infrastructure must issue the guidelines and measures on regulatory improvement provided for in article 36 within 180 calendar days from the entry into force of the Regulations of this Law.

FOURTEENTH. The National Metrology Center will issue the guidelines for the designation of a public entity as the Designated Metrology Institute, within the 180 calendar days following the entry into force of the Regulations of this Law.

FIFTEENTH. Infractions committed prior to the entry into force of this Decree will be sanctioned in accordance with the provisions in force at the time of its commission.

Mexico City, June 30, 2020.- Sen. **Mónica Fernández Balboa**, President.- Dip. **Laura Angélica Rojas Hernández**, President.- Sen. **M. Citlalli Hernández Mora**, Secretary.- Dip. **Maribel Martínez Ruiz**, Secretary.- Rubrics. "

In compliance with the provisions of section I of Article 89 of the Political Constitution of the United Mexican States, and for its due publication and observance, I issue this Decree at the Residence of the Federal Executive Branch, in Mexico City, 1 July 2020.- **Andres Manuel Lopez Obrador** .- Signature.- Secretary of the Interior, Dr. **Olga María of the Carmen Sánchez Cordero Dávila** .- Signature.

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