

NEW TOMATO EXPORT SCHEME

CPMA – AUSTIN, TX



STEP 1

Certification in Contamination Risk Reduction Systems (CRRS) for Tomato Production and/or Packaging Units from the National Service of Health, Safety, and Agrifood Quality.

- Technical evaluation of the production unit to verify compliance with the requirements established in the Contamination Risk Reduction Systems by SENASICA - verification and certification of food safety.
- Certifications are per production unit and are valid for one year.
- Mandatory requirement to obtain the Adhesion Notice.

STEP 2

Current Exporter Certificate

Growers' Associations: AMHPAC, CIDH-CAADES, CABC, APHYM, and SPT

- Absolutely all tomato exporters (growers and marketers) must have a current Exporter Certificate issued by a Growers' Association authorized by the Ministry of Economy and the Ministry of Agriculture, and comply with all requirements.
- The Exporter Certificate will be valid for two months and must be renewed throughout the year.
- All exporters must submit a copy of the Addendum signed with their Selling Agents to the Association as part of the requirements to keep their Certificate current.
- Failure to have a current certificate will result in the cancellation of the registration with the National Registry of Fresh Tomato Exporters (RNETF), the Adhesion Notice, and the Export License.

STEP 3

National Registry of Fresh Tomato Exporters (RNETF) of the Ministry of Economy

- All exporters must be registered in the National Registry of Fresh Tomato Exporters (growers and marketers) – Exporter number assigned.
- Exporters must maintain this obligation throughout the validity of the Adhesion Notice and the Export License.
- Grounds for cancellation of the RNETF: Failure to have a valid certificate issued by a Growers' Association and non-compliance with the provisions of the Minimum Price Agreement and the Rules and Criteria in Foreign Trade.
- Upon losing registration in the RNETF, the Adhesion Notice and the Export License will lose their validity as of the moment the exporter is deregistered.

STEP 4

Notice of Adhesion to the Program for the Implementation of Good Practices in Fresh Tomato Production and/or Packaging Units (SRRC) of SENASICA.

- Be registered with the RNETF – Exporter Number.
- Mandatory requirement to obtain the Export License.

STEP 5

Export License for Fresh Tomatoes from the Ministry of Economy

- All exporters must hold an Export License for fresh tomatoes for any destination.
- Have a valid Exporter Certificate for the entire duration of the Export License.
- Be registered with the RNETF – Exporter Number.
- Have a SENASICA Adhesion Notice.

MINIMUM EXPORT PRICES

- On August 8, 2025, the Agreement by which the Ministry of Economy and the Ministry of Agriculture and Rural Development Establish Minimum Export Prices for Fresh Tomatoes was published in the Official Gazette (DOF), and an amendment to these prices was published on September 2.
- The establishment of Minimum Export Prices is not intended to restrict volumes, set maximum prices, or distort the market, but rather to strengthen and maintain the existing order in the fresh tomato export industry, to prevent price distortions that undermine the sector's competitiveness.
- The minimum export price determined by the GOM includes production costs, reasonable profit, customs expenses, packaging, and freight.
- The establishment of Minimum Prices seeks to strengthen the tomato export industry so that exporters (large, medium, and small), can export their product at a competitive price, thus preserving the production plant and their jobs.

MINIMUM EXPORT PRICES

- This measure is aimed at preventing export sales from falling below not only production costs but also the entire Minimum Price.
- These prices do not guarantee the elimination of dumping.
- This measure seeks to maintain the Mexican export industry's participation in international markets at a competitive price, without incentivizing other countries to take advantage of expanding their export industry, thereby displacing Mexican products.

INDUSTRY/MEXICAN GOVERNMENT WORKING GROUP

- The Associations maintain jointly with the Ministry of Economy and the Ministry of Agriculture, an updated List of Exporters with Records (Tracker).
- There is an Industry/Government Working Group that addresses all issues related to compliance with the tomato export scheme, including volumes, export prices, export licenses, regulatory compliance, among others.

ENFORCEMENT

The Guidelines for compliance with the regulations applicable to the export scheme will come into effect - events and assumptions that, given the nature of the product and the business conditions, the GOM considers do not constitute a breach of the Agreement establishing Minimum Export Prices.

In-place Complaint Mechanism - directly before Producer Associations.

- Audits on sales for a determined period will be conducted on the exporter and/or selling agent object of the complaint.
- The exporter is obligated to provide the requested information and documentation, and, where applicable, that of its selling agent, regarding its first sales, and other related information.
- Once the audit is completed, the file will be submitted to the Fresh Tomato Defense Committee, composed by the five Growers' Associations.
- In conjunction with the Ministry of Economy and the Fresh Tomato Defense Committee, within the framework of the Working Group, the authority will determine whether further information is required to conduct the analysis on compliance with the Minimum Price Agreement.

ENFORCEMENT

- In case of evidence or indications of non-compliance, the authority will decide on the initiation of the cancellation procedure with the RNETF.
- In case of violations to the Minimum Price Agreement, the exporter's registration will be canceled.
- The exporter may not request a new registration with the RNETF until 8 months after the cancellation.
- Failure by the exporter to provide documentation will result in the Association canceling their Exporter Certificate, and, consequently, their registration with the RNETF.
- If the exporter's Selling Agent does not cooperate with the requested information, the GOM may always request it directly from CBP within the existing Collaboration Agreements. Likewise, in the event that the GOM deems that additional information beyond that submitted by the selling agent is required.

GENERAL CONDITIONS

- The Minimum Prices apply not only to sales by the exporter to its customer (affiliated or unaffiliated) but also to the first sale by selling agents or affiliates of the exporter to a customer that is not affiliated with the exporter.
- As part of the enforcement, the prices for such sales will be validated through institutional means by both Mexican authorities and by authorities of the country to which the product is exported.
- Each exporter must ensure that sales, up to and including the first sale by any selling agent or affiliate of the exporter to an unaffiliated party, are made consistent with the GOM's regulations and strictly comply with the Minimum Prices.
- Exporter and Distributor must sign an Addendum to their contract incorporating the applicable terms of the Minimum Price Agreement and the regulations.
- Failure by the exporter, a selling agent acting on behalf of the exporter, or any resellers affiliated with the exporter to comply with the Minimum Price and other requirements imposed by the GOM may result in the cancellation of the exporter's registration in the National Registry of Fresh Tomato Exporters and of the Export License.

GENERAL CONDITIONS

- Distributors must be aware that any non-compliance with the Minimum Prices or other regulations established by the GOM; any failure to perform any express or implied duty arising out of an undertaking in connection with a transaction; or any failure to perform express or implied duties under a transaction which could lead to price distortions, on sales of tomatoes, up to and including the sale to the first unaffiliated customer, constitutes a violation of Section 2 of the Perishable Agricultural Commodities Act of 1930 and may subject any violator to disciplinary proceedings under PACA.
- Exporter expressly agrees that tom above the minimum price must be returned to Mexico, destroyed or donated assuming the losses, and liabilities.

ANTIDUMPING DUTY

- Marketers must support Mexican growers by covering the full 17.09% AAD.
- Many marketers, by contract, require Mexican growers to act as the importer of record, shifting the burden of payment.
- Some marketers negotiate the full 17.09% duty with their retailers but only pass down 10% to growers, creating inequities.
- Retailers must acknowledge the full 17.09% ADD; partial recognition places the industry at risk.
- Failing to do so could lead to a significant reduction in supply and potential shortages in the U.S. and Canada.