

Footwear Import Information (into Mexico)

As previously reported, the Mexican government issued a decree on August 29, 2014, announcing a new set of measures aimed at preventing the undervaluation of imported footwear and enhancing the productivity and competitiveness of domestic footwear manufacturers. Among other things, the decree authorizes the Ministry of Economy (Secretaría de Economía) and the Ministry of Finance and Public Credit (Secretaría de Hacienda y Crédito Público) to carry out seven specific permanent actions to prevent and combat undervaluation practices in the footwear import market. These actions have been gradually implemented over the past four months, including a requirement for footwear importers to be listed in a sector-specific registry, the designation of certain specific ports to process footwear imports, and the establishment of reference prices for footwear.

One of the key measures announced by the government last August was a commitment to establish non-tariff regulations and restrictions on footwear imports in accordance with the Foreign Trade Law, including automatic prior licenses. After some delay, the Mexican government issued a regulation on January 8 creating effective from January 19 for “commercial statistical monitoring purposes” a new automatic licensing system for footwear imports.

The footwear licensing system covers definitive importations of footwear products classified under HTSMX 6401.10.01, 6401.92.01, 6401.92.99, 6401.99.01, 6401.99.02, 6401.99.99, 6402.19.01, 6402.19.02, 6402.19.03, 6402.19.99, 6402.20.01, 6402.91.01, 6402.91.02, 6402.99.01, 6402.99.02, 6402.99.03, 6402.99.04, 6402.99.05, 6402.99.06, 6402.99.99, 6403.19.01, 6403.19.02, 6403.19.99, 6403.20.01, 6403.40.01, 6403.51.01, 6403.51.02, 6403.51.99, 6403.59.01, 6403.59.02, 6403.59.99, 6403.91.01, 6403.91.02, 6403.91.03, 6403.91.04, 6403.91.99, 6403.99.01, 6403.99.02, 6403.99.03, 6403.99.04, 6403.99.05, 6403.99.06, 6404.11.01, 6404.11.02, 6404.11.03, 6404.11.99, 6404.19.01, 6404.19.02, 6404.19.03, 6404.19.99, 6404.20.01, 6405.10.01, 6405.20.01, 6405.20.02, 6405.20.99, 6405.90.01 and 6405.90.99 with a unit price below the applicable reference price published by the Mexican government on September 5, 2014. Parties seeking an automatic import permit for covered footwear through the electronic single window for trade operations must provide the following information in Spanish.

- a description of the goods, taking into account (i) the material and, where appropriate, the percentage that accounts for the majority of the material; (ii) the characteristics of the footwear; and (iii) whether the footwear has metal toe protection, is of welt construction, is intended for men/women/boys/girls/children/infants, covers the ankle or knee, is intended for use in the practice of a specific sport (e.g., cycling, snowboarding, tennis, basketball, gymnastics, skiing), or has a band or a similar application

- commercial brand(s) and model(s)
 - type of customs port of entry
 - tariff classification at the 8-digit or 10-digit level, as applicable
 - tariff schedule unit of measurement
 - commercial invoice number
 - commercial invoice date of issuance
 - unit of measurement for commercial purposes, in accordance with the commercial invoice
 - quantity/volume to be imported in accordance with the unit of measurement for commercial purposes
 - conversion factor
 - currency of commercialization, in accordance with the commercial invoice
 - total value of commercial invoice in the currency of commercialization
 - value of the goods to be imported, in accordance with the commercial invoice in the currency of commercialization
 - country of export
 - country of origin
- for goods entered into the country through a seaport, export document number, export document date of issuance, and information included in the export document (i.e., description of the goods, tariff code in accordance with the nomenclature of the exporting country, quantity/volume in the unit of measurement indicated in the export document, dollar value of the goods to be imported not including freight or insurance, unit price in dollars, name and address of the producer or supplier of the goods (this information is not mandatory), name and address of the exporter of the goods, and any observations, whenever applicable)
 - The importer must also attach an electronic copy of the commercial invoice covering the goods to be imported, a translation to the Spanish language and, for goods entered through a seaport, an electronic copy of the export document together with a Spanish translation. The regulation clarifies that the term “export document” refers to the document used to declare the exportation of the goods to the foreign customs authority in the country of provenance. The regulation also indicates that the commercial invoice and export document must have been issued within six months from the date of filing of the automatic import permit request.