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| **MEXICO** | |
| **County Court Decision**  1st CASE “EL PODER del CONSUMIDOR” (EPC) vs. GDA Labelling  Labelling | |
| **Issue** | EPC filed an amparo remedy against all the rules developed during the years 2014 and 2015 by the sanitary authorities. These amended some health regulations and issued a guideline with an official Mexican standard in which they defined the front-of-pack labeling system according to the GDA model (Guideline Daily Amounts). However, several inconsistencies were found in this model because of the following reasons:   * There is no obligation on distinguishing added sugars from natural sugars; the information is presented in calories or kilocalories and percentages, instead of grams, so it is necessary to do a mathematical operation to know the grams of sugars that a product has; * the basis for calculating the percentage of daily nutrients shown on the label is 360 calories and not 200 calories/50 grams, as recommended by the WHO. This modifies the rates exhibited to consumers, so they believe they can consume more sugar than is recommended. * The creation of the labeling was carried out by three public officials and not by a group of experts, with no scientific evidence; * these elements represent violations of human rights, which were claimed by EPC*.* |
| **Judge decision** | The Judge issued a favorable judgment for EPC in which he acknowledged that:   * the labeling is against the recommendations of the WHO about added sugars, as well as the studies and recommendations of the National Institute of Public Health (INSP). Thus, the labeling violates the right to health and the consumer’s right to information by **not providing consumers with detailed data** about the sugar content of the products, as well as not presenting scientific data and studies of its formulation.   The ruling ordered responsible authorities to stop applying this model, as well as adapting it to the parameters developed by the WHO and the National Strategy for the Prevention and Control of Overweight, Obesity, and Diabetes 2013. Specifically:   1. To distinguish between natural and added sugars. 2. To establish the grams of added sugar to the product together with the energy contribution of sugar in kilocalories: 3. Take 200 kilocalories or 50 grams for the added sugars of the total caloric intake. 4. If any product exceeds the recommended amount of critical nutrients, it comes up the obligation for the supplier to introduce a warning label in the front of the pack. |
|  | ***The ruling was appealed.***  *The Constitutional Court determined that the GDA is constitutional. EPC is appealing before the CIDH.*  *Two other cases related to the GDA are pending to be resolved*. |