

MEMORANDUM OF UNDERSTANDING

BETWEEN THE

DEPARTMENT OF HEALTH AND HUMAN SERVICES OF THE UNITED STATES OF  
AMERICA THROUGH THE FOOD AND DRUG ADMINISTRATION

AND THE

MINISTRY OF HEALTH OF THE UNITED MEXICAN STATES THROUGH THE  
FEDERAL COMMISSION FOR PROTECTION FROM SANITARY RISKS

COVERING THE SAFETY AND QUALITY OF FRESH AND FROZEN AQUACULTURED  
MOLLUSCAN SHELLFISH EXPORTED FROM THE UNITED  
MEXICAN STATES TO THE UNITED STATES OF AMERICA

The Department of Health and Human Services of the United States of America, through the Food and Drug Administration (FDA) and the Ministry of Health of the United Mexican States, through the Federal Commission for Protection from Sanitary Risks (COFEPRIS), hereinafter referred as "The Participants",

Desiring to safeguard public health and to ensure the safety and quality of fresh and frozen aquacultured molluscan shellfish that are or may be exported into the United States of America, and

In keeping with the beneficial and cooperative work conducted under the terms of a 1988 Memorandum of Understanding concerning the safety and quality of molluscan shellfish exported to the United States of America from the United Mexican States, and

Recognizing that the Participants have held technical consultations leading to the successful development and implementation of an effective molluscan shellfish sanitation program in the United Mexican States for molluscan shellfish, and

Recognizing that nothing in this Memorandum of Understanding (MOU) will in any way abrogate the responsibility or authority of the FDA under section 801 of the Federal Food, Drug, and Cosmetic Act to examine, and, where appropriate, refuse admission of, any food product being offered for entry into the United States of America or to comply with and enforce any other law administered by the FDA, and

Acknowledging that the FDA recognizes the Mexican Shellfish Sanitation Program (MSSP) and finds that the MSSP adequately meets U.S. National Shellfish Sanitation Program (NSSP) guidelines, and that COFEPRIS retains the overall responsibility for the MSSP and coordinates participation of Mexican State Governments in the Molluscan Shellfish Program;

Have hereby reached the following understanding: