

# MEXICO

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***Is there case law or any statutory regulation governing advertising and promotion incentives? Are there any special consumer protection laws? What role do free gifts, tie-in offers, sweepstakes, rebates and other benefits, play in this context?***

Advertising is governed by Mexican Official Standards depending on the matter, and by the Federal Consumer Protection Law. All benefits mentioned are fully regulated as well.

***In your jurisdiction, are there any industry sectors which are subject to special regulations for advertising and promotion incentives (for instance the health products and pharmaceutical industries in some countries)? Please name applicable statutes and self-regulatory codes.***

Medication, Alcohol, Tobacco, Pet Food, etc. are subject to special regulations. The Federal Sanitary Law, The Federal Animal Sanitary Law, and the CONAR Ethics Code are involved.

***Does industry self-regulation replace or supplement government and legislative regulation of advertising and promotion incentives? Is self-regulation an effective tool?***

Self regulation supplements government regulations. The self regulation decisions are considered as strong evidence during litigation; therefore, self regulation is an effective tool.

***To what extent do promotional incentives extended to staff in public institutions pose legal issues in your jurisdiction (i.e., paying for travel and accommodation costs on the occasion of conferences, personal entertainment, hidden education sponsoring, sponsoring of school snacks for promotional purposes)?***

Those kinds of promotions should be taken with care, since the government employees have a limit to the value for gifts and prizes they are permitted to accept.

***Are there any formal disclosure requirements for promotional incentives (i.e., rule of separation of procurement from personal dealings, rules of employer consent requirements, written form requirements, adequacy of consideration granted for a service)?***

The formal disclosure requirements for promotional incentives must arise from a contractual basis.