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Honorable Justices of the Second Chamber
Mexican Supreme Court

3 November 2022

In regard to the review of writ of unconstitutionality 358/2022

Consumers International is a member organization for consumer groups around the world. It brings together over 200 member organizations in more than 100 countries to empower and champion the rights of consumers everywhere. We are the voice of consumers in international policy-making forums and the global marketplace to ensure they are treated safely, fairly and honestly.

Consumers International would like to acknowledge its support for the Mexican front-of-pack warning label. The front-of-pack warning label, implemented in Mexico in 2020, is an example of an evidenced-based policy that can serve to protect consumer rights and prevent obesity and non-communicable disease.

The right to be informed is one of the eight consumer rights and it establishes the importance of providing consumers the facts needed to make an informed choice. We believe the Mexican front-of-pack warning label is a policy that contributes to the realization of this important consumer right by providing consumers with clear and factual nutrition information that promotes the selection of healthy foods.

In 2021, Consumers International developed a Call to Action in the context of the United Nations Food Systems Summit. In this call to action, we identify five key areas for change, one of which is consumer information. In particular, we call for clear standards on food labelling, including warning labels on unhealthy products that draw on guidance from the World Health Organization and its regional offices.ⁱ The warning label in Mexico is aligned with these recommendations and is an important measure in bringing about food systems transformation.

It is important to note that the Mexican front-of-pack warning label has been supported by various international and inter-governmental organizations, including World Cancer Research Fund Internationalⁱⁱ and the Pan-American Health Organization.ⁱⁱⁱ Furthermore, UNICEF has heralded the Mexican warning label as one of the best FOP systems in the world that can serve as an example for other countries to follow.^{iv} Moreover, in 2020, the Mexican Ministry of Health was presented an award by WHO Director General Dr Tedros Adhanom Ghebreyesus, for its work in advancing the Mexican FOP warning label as a measure contributing to the non-communicable disease-related Sustainable Development Goals.^v

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Mexico is not alone in its utilization of a warning label system, many countries have approved and implemented a front-of-pack warning label, including Argentina, Chile, Peru, Uruguay and others and there is already clear evidence that these policies are have been effective.^{vi}

Considering these international recommendations and the evidence-base, Consumers International would like to recognize the Mexican front-of-pack labelling policy as key to promote health and consumer rights. We wish to express our support that the Second Chamber of the Supreme Court resolves this writ of unconstitutionality in favor of the existing warning label.

Sincerely,

A handwritten signature in black ink that reads "Helena Leurent".

Helena Leurent
Director General

ⁱ Consumers International. Consumers Call for Action at the United Nations Food Systems Summit, 2021. <https://www.consumersinternational.org/media/368841/consumers-call-for-action-at-the-united-nations-food-systems-summit.pdf>

ⁱⁱ World Cancer Research Fund International. Building momentum: lessons on implementing a robust front-of-pack food label, 2019.

ⁱⁱⁱ OPS/OMS, Recomendaciones de la Organización Panamericana de Salud/Organización Mundial de Salud (OPS/OMS) sobre Etiquetado Frontal de Alimentos, disponible en <https://comisiones.senado.gob.mx/salud/docs/etiquetado/alimentos.pdf>

^{iv} UNICEF. El etiquetado nutrimental de México que protege a la infancia. Y tiene los elementos para considerarse como el mejor del mundo, 08 Oct. 2020.

^v World Health Organization. UNIATF Awards 2020. Press Release, 25 Sept 2020. <https://www.who.int/news/item/25-09-2020-uniatf-awards-2020>

^{vi} Reyes M et al. Changes in the amount of nutrient of packaged foods and beverages after the initial implementation of the Chilean Law of Food Labelling and Advertising: A nonexperimental prospective study. PLOS Medicine, 2020. <https://doi.org/10.1371/journal.pmed.1003220>