



MEXICO ORDERS CLOSURES OF NON-ESSENTIAL BUSINESS AND ACTIVITIES, INCLUDING MAQUILADORAS, UNTIL APRIL 30th

On March 31, 2020, Mexico's Secretary of Health [ordered](#) the immediate suspension of all non-essential activities throughout Mexico. This means that all factories in Mexico, except those involved in essential activities, must close until April 30th.

Per the March 31st publication, the only activities that may continue are:

- Those that are ***directly necessary to attend the health emergency***, such as the work activities of the medical, paramedical, administrative and support branch throughout the National Health System. Also those who participate in its supply, services and supply, among which the pharmaceutical sector stands out, both in its production as in its distribution (pharmacies); the manufacture of supplies, medical equipment and technologies for health care; those involved in the proper disposal of infectious biological hazardous waste (RPBI), as well as cleaning and sanitizing medical units;
- Those involved in ***public safety and citizen protection***; in the defense of integrity and sovereignty national; the procurement and impartation of justice; as well as legislative activity at the federal and state levels;
- Those of the ***fundamental sectors of the economy***: financial, tax collection, distribution and sale of energy, gas and gas stations, generation and distribution of drinking water, food and beverage industry no alcoholic, food markets, supermarkets, self-service stores, grocery and prepared food sales; transportation services passengers and cargo; agricultural, fishing and livestock production, agro-industry, chemical industry, products of cleaning; hardware stores, courier services, guards in private security tasks; nurseries and stays for children, nursing homes and stays for the elderly, shelters and care centers for women victims of violence, their daughters and sons; telecommunications and information media; private emergency services, funeral and burial services, storage services and cold chain of essential supplies; logistics (airports, ports and railways), as well as activities whose suspension may have effects irreversible for its continuation;
- Those directly related to the operation of ***government social programs***, and
- Those necessary for the ***conservation, maintenance and repair of the critical infrastructure*** that ensures the production and distribution of essential services; namely: drinking water, electricity, gas, oil, gasoline, jet fuel, basic sanitation, public transport, hospital and medical infrastructure, etc;

Importantly, the March 31st publication does not define what constitutes an "essential" business or activity beyond the above list, leaving plenty of room for interpretation. The [National Maquiladora Association](#) has advised maquiladoras to:

- Review whether the maquiladora's activity is expressly listed in the March 30th publication
- Abide by the suspension of economic and other activities
- Negotiate payment of wages with workers

The National Maquiladora Association also advised that if a maquiladora continues to work it must:

- Assume the risks should the government disagree as to whether it is essential, as well as be prepared to assume associated labor risks
- Be prepared to prove that it provides essential activities.

The Secretary of Health ordered the following for all **essential** businesses/activities:

- Meetings or congregations of more than 50 people may not be held;
- People should wash their hands frequently;
- People should sneeze or cough applying the respiratory label (covering nose and mouth with a handkerchief disposable or with the forearm);
- Do not greet with a kiss, a hand or a hug (remote greeting), and
- Abide by all other healthy distance measures in force that are issued by the Federal Ministry of Health.

It also ordered mandatory "stay at home" for all workers in non-essential businesses as well as for all adults over 60 years old.

CBP reports that it is otherwise continuing with normal operations on the US-Mexico border, despite the shutdown in Mexico.

Roll & Harris LLP is continuing to monitor events and will send out future updates as the situation develops.

Please do not hesitate to contact us at info@thetradelawfirm.com with any questions you may have.