

THIS REPORT CONTAINS ASSESSMENTS OF COMMODITY AND TRADE ISSUES MADE BY
USDA STAFF AND NOT NECESSARILY STATEMENTS OF OFFICIAL U.S. GOVERNMENT
POLICY

Voluntary Public

Date: 12/30/2010

GAIN Report Number: PN10009

Panama

Post: Panama

Food and Agricultural Import Regulations and Standards - Narrative

Report Categories:

FAIRS Country Report

Approved By:

Kelly Stange, Regional Agricultural Attaché

Prepared By:

Arlene Villalaz, Agricultural Specialist

Report Highlights:

Panamanian consumers continue perceiving U.S. food products as high quality, wholesome and reliable, which has resulted in a continuous growth in demand. Panama approved and ratified a Trade Promotion Agreement (TPA) with the U.S., which is at present pending for ratification by the U.S. Congress. In addition, the United States – Panama Agreement regarding certain sanitary and phytosanitary measures and technical standards affecting trade in agricultural products, is in force since December 20, 2006. This agreement established simplified requirements for the importation of U.S. food products.

General Information:

Table of Contents:

Section I. Food Laws.....3
Section II. Labeling Requirements.....4
Section III. Packaging and Container Requirements.....4
Section IV. Food Additive Regulations.....5
Section V. Pesticides and Other Contaminants.....5
Section VI. Other Regulations and Requirements.....5
Section VII. Other Specific Standards.....6
Section VIII. Copyright and/or Trade Mark Laws.....9
Section IX. Import Procedures.....10
Section X. Government Regulatory Agency Contacts.....12

Notes:

- AUPSA: Panamanian Food Safety Authority
- MIDA: Ministry of Agricultural Development of Panama
- OIE: International Organization for Animal Health
- BSE: Bovine Spongiform Encephalopathy
- MINSA: Ministry of Health of Panama

Section I. Food Laws:

Panama has adhered to the terms of the bilateral agreement with the U.S. regarding certain sanitary and phytosanitary measures and technical standards affecting trade in agricultural products, by publishing the following regulations:

- Law Decree 11 of 22 February 2006, published 24 February 2006, which created the Food Safety Authority, AUPSA, responsible for SPS and certain measures related to the importation of food and feed products.
- MIDA Resolution No. 60 of 24 March 2006, published 8 February 2007, by which Panama grants equivalence recognition to the U.S. sanitary and phytosanitary systems for meats, poultry, dairy and other products for human and animal consumption. Also contains provisions related to certification requirements for U.S. agricultural exports to Panama.
- MIDA Resolution No. DAL-216-ADM of 23 August 2006, published 8 February 2007, by which Panama adopts OIE consistent measures related to BSE for U.S. bovine products.
- MINSA Resolution No. 070-A of 24 March 2006, published 12 February 2007, by which Panama grants equivalence recognition to the U.S. sanitary and phytosanitary systems for meats, poultry, dairy and other products for human and animal consumption. Also contains provisions related to certification requirements for U.S. agricultural exports to Panama.
- MIDA Resolution No. DAL-30-ADM of 2 June 2006, published 27 February 2007, by which Panama recognizes U.S. beef grading and cuts nomenclature systems as equivalent to Panama's.
- MIDA Resolution No. DAL-274-ADM of 20 November 2006, published 27 February 2007, by which Panama accepts U.S. measures related to Newcastle disease and Avian Influenza as consistent with directives from the OIE, and permits the importation of U.S. poultry and poultry products into Panama. Also contains provisions related to certification requirements for U.S. poultry products.
- AUPSA Resolution No. 001, of 22 February 2007 published 27 February 2007, and corrected 1 March 2007, by which it recognizes the equivalence of the U.S. sanitary and phytosanitary systems for the importation of meats, poultry, dairy and other products, and contains provisions related to certification requirements. Establishes alternatives to product registration.
- AUPSA Resolution No. 002 of 28 February 2007, published 1 March 2007, by which Panama grandfathers MIDA's Resolution DAL-216-ADM, and MIDA Resolution No. DAL-274-ADM on BSE and avian diseases.

Complete text of these regulations may be accessed by date of publication at: www.gacetaoficial.gob.pa

Note: it is important to note that on July 2009 the AUPSA's Scientific and Technical Council of Food Safety has also given the recognition of sanitary equivalence to the beef and pork sanitary system of Canada, approving all the Canadian facilities listed at a federal level in the Canadian Food Inspection Agency (CFIA) dedicated to the elaboration of bovine and pork meat products, including but not limited to refrigerated or frozen fresh products. The same has been approved for deli meats from Spain, for dairy products from Argentina, Australia and The Netherlands, and beef from Chile. The sanitary recognition of equivalences for these other countries has caused significant competition to U.S. food products, due to the simplification of the sanitary measures for imports to Panama for those countries mentioned above.

Also, the Executive Decree No. 65 of June 9, 1997 establishes the mandatory Hazard Analysis Critical Control Point or HACCP for all beef, dairy and fishery plants for Panama.

Section II. Labeling Requirements:

The label can be in English and there is no mandatory labeling requirement for labels to be in Spanish, according to Article 36 of Law 45 of October 31, 2007, except with respect to medicines, agricultural chemicals, toxic products, and food products that require specific instructions or warnings because of risks to human health, such as health enhancers and the like, the label has to be in Spanish.

Article 36 of Law 45 of October 31, 2007 defines labeling requirement as follows:

“It is the responsibility of suppliers to consumers:

1- To inform consumers in a clear and truthful manner, of the characteristics of products or services offered, such as their nature, composition, contents, weight, origin, date of expiration, toxicity, precautions, price and any other condition, all of which will be printed on the label of the container or on the shelves where products are offered to consumers”.

Expiration date and country of origin of the product are the most important details that local inspectors look for in labels of imported food products. The Authority for Consumers Protection and Defense of Competition (ACODECO) routinely inspects supermarkets and smaller stores, checking expiration dates on food products. Results are published in newspapers to warn consumers. Weight checks are done mostly on rice and pulses sold in supermarkets. ACODECO is empowered to confiscate expired products and to fine stores that offer them to consumers.

For dietary products containing Aspartame or Acesulfame K, an individual label in Spanish must state that the product contains Phenylalanine, according to the Executive Decree No. 423 of June 12, 1993 and MINSA Resolution No. 11 of July 12, 1994.

Section III. Packaging and Container Regulations:

Panama requires that the “product is packaged with materials of food grade”. There are no regulations issued specifically for packaging materials requirements.

According to Article 54 of Law Decree 11 of February 22, 2006, all processed food products for retail, bottled or packaged in some form with given name and brand, must be registered at the Panamanian Food Safety Authority (AUPSA), prior to importation. This means that all food products intended for retail as a final product for direct consumption should be previously registered to the import, sell or trade. Excluded from the above are raw materials such as: fresh meats (which are not packed and ready for sale), fresh vegetables and fresh fruits, grains in bulk loads or in bags, dairy product in bulk loads or in bags for further processing, ingredients and additives for the process of a final food product.

For bottled water there is a specific returnable plastic bottle, according to MINSA Resolution No. 181 of August 10, 2001.

Section IV. Food Additive Regulations:

Panama adheres to the Codex Alimentarius Standards in regards to food additives, as established on Codex Standard 192-1995 and other Codex Standards for specific categories of food products.

There are some specific food additive regulations:

- For Deli Products (hams, sausages) is the Technical Regulation DGNTI-COPANIT (Panama) 08-241-1998.
- For frozen calamari is forbidden to use additives, as Codex Stan 191-1995 establishes.
- For cooking oil and cooking fat/greases/butter, the food coloring, antioxidants, emulsifiers, thickeners, stabilizers and flavors must comply with the Codex Alimentarius standard.
- For beverages in powder mixes, it is forbidden to have Cyclamate as additive, as established on the Technical Regulation DGNTI-COPANIT (Panama) 26-399-1999 and on MINSA Decree No. 56 of October 18, 1971.

All food products must be free of Glycerol, sorbitol or propylene glycol, as established on Panama's Executive Decree No. 386 of November 30, 2006.

Section V. Pesticides and Other Contaminants:

MINSA Executive Decree No. 467, from 7 November 2007, published in Official Gazette No. 25932, of 4 December 2007, dictates the “Sanitary Ruling that establishes the maximum limits of pesticide residues and other contaminants in fruits and vegetables for internal consumption as well as for exports”. This rule adopts maximum levels applied by the CODEX, the EPA, and the EU, whichever is the lowest. It establishes that the Ministry of Health will collect samples from warehouses and supermarkets, while the Ministry of Agricultural Development will collect samples at farms. No frequency for sampling is established, and cost of analysis is charged to distributors and importers.

Panama has a Residue Lab to analyze food products for pesticides and other contaminants. Random samples are taken from imported food products to be tested at this lab, which uses USDA and/or EPA tolerances for pesticides, and has been reviewed by private consultants to improve procedures and effectiveness (Activity supported by FAS). In addition, they are applying for ISO certification.

Section VI. Other Regulations and Requirements:

Although the Panamanian Food Safety Authority, AUPSA is the agency created to oversee all aspects of food importation.

As per MINSA Resolution No. 5705 of October 28, 1996 Panama forbids adding of Potassium Bromate to wheat flour, adopting the CODEX Stan 152-1985-91. The Resolution specifies that it is for wheat flour only, and not for products made of wheat flour such as cookies, crackers, etc., which are not affected by the regulation.

All Wheat Flour must be fortified, according to the Executive Decree No. 80 of March 24, 2003.

The salt for human consumption must contain fluoride, according to the Executive Decree No. 127 of August 31, 1998.

Section VII. Other Specific Standards:

a. Import Requirements for U.S. Beef and Beef products to Panama:

The Import requirements for the United States beef and beef products for human consumption, adopted by Resolution No. 001 of February 22, 2007, as established in the United States – Panama Agreement regarding certain Sanitary and Phytosanitary Measures and Technical Standards affecting trade in agricultural products, and in the Resolutions No. 60 and No. 070-A, of March 24, 2006 from the Ministry of Agricultural Development and the Ministry of Health, respectively, by which Panama recognized the equivalence of sanitary and phytosanitary systems and other related regulatory systems of the United States of America.

In accordance with the above in the mentioned resolutions, the bovine meat and meat products for human consumption originated from the United States of America must be accompanied by an Export Certificate of Wholesomeness issued by the FSIS of the USDA, with additional certification statements that are identified below:

- “1. The beef or beef products were derived from cattle that received ante and post mortem inspections and were not suspected or confirmed to have Bovine Spongiform Encephalopathy (BSE).*
- 2. The beef or beef products were not derived from cattle subject to a stunning process, prior to slaughter, with a device injecting compressed air or gas into the cranial cavity, or to a pithing process.*
- 3. The beef or beef products were produced and handled in a manner which ensures that such products do not contain and are not contaminated with the following specified risk materials: for cattle over 30 months of age, the brain, skull, eyes, trigeminal ganglia, spinal cord, vertebral column, and the dorsal root ganglia; and for any cattle regardless of age, the tonsils and distal ileum of the small intestine.*
- 4. The beef or beef products were produced and handled in a manner which ensures that such products do not contain and are not contaminated with mechanically separated meat from the skull and vertebral column of cattle over 30 months of age.*
- 5. The beef or beef products were derived from federally certified slaughter or processing facilities, operating under the supervision of the FSIS”.*

For Beef tallow for human consumption, the following additional certification statement will be: “The maximum content of insoluble impurities of the tallow does not exceed 0.15 percent of its weight.”

Panama and the United States signed a Recognition of Sanitary Equivalence Agreement on December 2006. In article 5 of the Agreement it is established that all the products containing, by weight, more than 3 percent of meat has to be exported accompanied by an FSIS Export Certificate of Wholesomeness or any other applicable certificate that U.S. authorities issue as meeting all of Panama’s requirements for imports. And that Annex 1, paragraph 3, of that Agreement can only be met through a USDA/AMS Bovine EV program, because the FSIS (US) definition on Specific Risk Materials is different, regarding

the vertebrae column, from the OIE standard.

Those provisions are currently under revision with AUPSA, because since 2010 Panama and the U.S. have the same BSE Risk Status (Controlled risk) recognized by OIE.

The Export Verification (EV) Program for Bovine facilitates the international trade of U.S. bovine meat and meat products for those countries that require the vertebral column to be removed from animals 30 months of age and older. These requirements apply to U.S. suppliers (slaughterers, fabricators, and processors) of bovine meat and meat products offered for export to countries that require the vertebral column to be removed from animals 30 months of age and older. Suppliers must meet the specified product requirements for bovine under the EV Program through an approved USDA QSA Program. The requirements for the QSA Program are defined in *ARC 1002 Procedure, Quality System Assessment (QSA) Program*. The QSA Program ensures that the specified product requirements are supported by a documented quality management system.

Only companies with an approved USDA QSA Program for the EV Program for Bovine may label and sell product as meeting the specified product requirements for Bovine under the EV Program.

The Audit, Review, and Compliance Branch has been assigned responsibility for reviewing and approving companies as eligible suppliers of meat and meat products under the USDA Export Verification (EV) Programs. The EV Programs outline the specified product requirements for individual countries. The specified product requirements must be met through an approved Quality System Assessment Program. ARC Branch personnel conduct regular audits of eligible suppliers.

Eligible suppliers are included in the applicable Internet publication. Only eligible suppliers listed in the Official Listing may supply product identified as meeting the requirements of the applicable USDA EV Program. Eligible product must be produced under an approved Program and be identified as meeting the requirements of the applicable USDA EV Program. Only eligible products may be issued a Food Safety Inspection Service (FSIS) Export certificate which includes the applicable statement as listed in the FSIS Library of Export Requirements. Eligible suppliers must submit a list of all eligible product items intended for shipment. The product list must be submitted in the approved Excel format. Updates to the approved product list must be made in accordance with the procedure, EV Program Updating Approved Product Lists.

In addition to the above, each shipment must be accompanied by the following documents:

1. Copy of the Import Notification Form, filled in the web site of the Panamanian Food Safety Authority (www.aupsa.gob.pa)
2. Copy of the commercial invoice of the product.
3. Customs Pre- declaration.

b. Technical Regulations, Standards and Conformity Assessments:

The General Directorate of Industrial Norms and Technology (DGNTI) through its Commission of Technical Standards (COPANIT) , an agency of the Ministry of Commerce and Industries, oversees quality standards and certification for all products. It participates in the preparation, adoption and adjustment of norms for industry, commerce and services. This agency is also the point of contact in Panama for the Codex Alimentarius. It is also the Panamanian registering authority for participation in

ISO program.

The General Directorate of Standards and Industrial Technology (DGNTI) leads in conducting conformity assessments but is joined by a number of other public and private organizations. In Panama, several organizations conduct conformity assessments on a regular basis. These organizations include the Central Laboratory of Health from the Ministry of Health (MINSA), the University of Panama, the Technological University of Panama, the National Secretariat of Science and Technology (SENACYT), the Ministry of Agricultural Development (MIDA), the Consumer Protection Authority and Defense of Competition, and the Agricultural Marketing Institute (IMA).

Law 23 requires that the Panamanian Commission for Industrial and Technical Standards (COPANIT) and the General Directorate of Standards and Industrial Technology (DGNTI) publish all agreements, technical regulations, norms and procedures.

They operate a primary Metrology Lab, duly equipped to offer services such as calibration to weights, and solution to measuring problems.

List of food products for which they have issued a Technical Regulation:

- Cereals, Wheat flour
- Ethylic alcohol for alcoholic beverages
- Rum (local)
- Fruit and Vegetable juices
- Fruit nectars
- Tomato juice
- Orange juice concentrate
- Orange juice
- Milk and Dairy Products
- Vegetable oils
- Animal fats
- Sugar
- Table salt
- Additives
- Colors
- Fish, frozen
- Fishmeal
- Beef and products

More complete information (in the Spanish language) may be accessed at: www.mici.gob.pa

c. Specific Import Requirement for Table Stock Potatoes:

AUPSA requires an additional certification under the Phytosanitary Export Certificate (issued by the Animal and Plant Health Inspection Service (APHIS))for sprout inhibitor application on shipments of

U.S. table stock potatoes. In order to meet this requirement, APHIS proposes that as part of the shipping documents the shipper provide a "Packer Affidavit" stating that a sprout inhibitor application on shipments of U.S. table stock potatoes has been given.

Section VIII. Copyright and/or Trademark Laws:

The Panamanian Copyright Law (Law 15) is based on the World Intellectual Property Organization (WIPO) model. It modernizes copyright protection in Panama, provides for payment of royalties, facilitates the prosecution of copyright violators, and makes copyright infringement a felony. The Copyright Office is drafting improvements to the Copyright Law to implement the new WIPO treaties, to raise penalties for infractions and to enhance border measures.

The Industrial Property Law (Law 35) provides 20 years of patent protection from the date of filing. This Law also provides trademark protection, simplifies the process of registering trademarks and makes them renewable for ten-year periods. It grants ex-officio authority to government agencies to conduct investigations and to seize materials suspected of being counterfeited. The Trademark Registration Office has undertaken significant modernization with a searchable computerized database of registered trademarks that is open to the public and is remotely accessible to customs officials, among others. This facilitates the inspection and investigation process considerably.

The legal framework for the protection of intellectual property rights (IPR) in Panama has improved significantly over the past decade. The government passed an Anti-Monopoly Law in 1996 mandating the creation of commercial courts to hear anti-trust, patent, trademark, and copyright cases exclusively. Two district courts and one superior tribunal began to operate in June 1997 and have been adjudicating intellectual property disputes. In January 2003, the GOP designated an IPR-specific prosecutor with national authority, which has consolidated and simplified prosecution of those cases.

The TPA provides for improved standards for the protection and enforcement of a broad range of intellectual property rights, which are consistent with U.S. standards of protection and enforcement and with emerging international standards. Such improvements include state-of-the-art protections for digital products such as U.S. software, music, text and videos; stronger protection for U.S. patents, trademarks and test data, including an electronic system for the registration and maintenance of trademarks; and further deterrence of piracy and counterfeiting. Panama is a member of the World Intellectual Property Organization (WIPO), the Geneva Phonograms Convention, the Brussels Satellite Convention, the Universal Copyright Convention, the Bern Convention for the Protection of Literary and Artistic Works, the Paris Convention for the Protection of Industrial Property, and the International Convention for the Protection of Plant Varieties. In addition, Panama was one of the first countries to ratify the WIPO Copyright Treaty and the WIPO Performances and Phonograms Treaty, although the GOP has yet to introduce implementing legislation to put these treaties fully into force in Panama and to establish new offenses, such as those needed for internet-based copyright violations and to enhance border measures. Under the TPA, Panama would be obligated to ratify or accede to the Patent Cooperation Treaty, the Convention Relating to the Distribution of Programme-Carrying Signals Transmitted by Satellite, and the Budapest Treaty on the International Recognition of the Deposit of Microorganisms for the Purposes of Patent Procedure by the date the TPA enters into force. Panama would also be obligated to ratify or accede to the International Convention for the Protection of New Varieties of Plants by 2010 and the Trademark Law Treaty by 2011.

Panama's legal system provides for a trademark protection regime, which includes a simplified process of trademark registration, and the ability to renew a trademark for 10-year periods.

Section IX. Import Procedures:

A. Food Products and feeds for animals

The Panamanian Food Protection Authority, AUPSA, is the Government of Panama agency in charge of procedures. In compliance with the bilateral SPS agreement, they receive requests for registration and provide answers within 24 hours. This procedure can be made on line, and it is totally free of charge. Their website: www.aupsa.gob.pa is user friendly but, it is in the Spanish language only.

Step 1.: According to Article 54 of Law Decree 11 of February 22, 2006, all processed food products for retail, bottled or packaged in some form with given name and brand, must be Register at the Panamanian Food Safety Authority (AUPSA), previously for importation. This means that all food products intended for retail as a final product for direct consumption should be previously registered to the import, sell or trade. i.e. alcohol beverages, snacks, canned food.

Excluded from the above are: the raw materials, such as: fresh meats (which are not packed and ready for sale), fresh vegetables and fresh fruits, grains in bulk loads or in bags, dairy product in bulk loads or in bags for further processing, ingredients and additives for the process of a final food product.

For the Food Product Registration, the Importer or the Exporter must send the following information:

1. Product Name
2. Name and address of the product manufacturer, packager, or distributor, as specified on the label.
3. Product description as stated on the label.
4. Product ingredients (in descending order by weight) as stated on the label.
5. For U.S. Food products is optional to submit:
 - a) A Certificate of Free Sale of the product, or any other certificate issued by any U.S. federal or state or local authority within the last 12 months, **or**
 - b) A Supplier or Manufacturer's Declaration (if is applicable), on company letterhead, stating that the product is fit for human consumption.

The submission of documentation as indicated above may be via the Internet through AUPSA's website: www.aupsa.gob.pa

To corroborate the information indicated above, it is necessary to send the scanned label, where the image is observed and the same literature, clearly and readable.

The originals of such documents shall be presented at the AUPSA's Registry office, within a period of time of 30 working days.

The Food Product Registration shall remain in effect as long as the information provided remains unchanged.

Step 2: At the Port of Entry in Panama, the Importer shall present these documents:

1. Copy of Import Notification form, submitted on Internet at the AUPSA web site:

<http://200.46.196.147/aupsa/login.asp>

The notification must be submitted, minimum 48 hours prior to the arrival of the product at the Port of Entry.

2. If the Certificate of Free Sale of the product, or any other certificate issued by any U.S. federal or state authority, or a Supplier / Manufacturer's Declaration [1], was not submitted at the moment of the Food Product Registration [2], then a copy of any of the above certificates must be presented at the Port of Entry in Panama.

3. Packing List of products.

4. Certificate of Origin (where appropriate [3])

5. Copy of commercial invoice of the product.

6. Pre-customs declaration

AUPSA conducts laboratory tests on imported food products, mainly processed meat products, looking for contaminants, e.g. E. coli, Salmonella, heavy metals and Listeria

B. Non food animal and plant products

The Agricultural Quarantine Directorate of the Ministry of Agricultural Development is the agency in charge of this category. They have a list of requirements for specific products, which may change at any moment due to phytosanitary concerns that may arise. Applicants must fill a form requesting a Phytosanitary Licence. Procedures must be done in person and in the Spanish language. Information may be accessed at: www.mida.gob.pa go to: *Cuarentena Agrop*, then go to: *Solicitud de Importacion*. Or contact the Executive Director of Agricultural Quarantine (contact data below)

C. Tariff Rate Quota Administration in Panama:

Panama implemented a Board of Trade called "Bolsa de Productos", or "BAISA", which is a private concern organized to manage TRQs agreed upon at WTO. Their intentions of expanding business to other local products have failed. Management is not equal for all products. For instance, for rice, sellers are forced (through a bidding process) to offer lowest price possible, while buyers are forced to offer highest one, with BAISA keeping the margin. BAISA declares that the margin is donated to charities. In other products, only a commission is charged: 0.25% for agent, and 0.25% for the BAISA.

The whole process starts with the decision of three Ministers: Ag, Commerce, and Economy, to publish summons for the bidding process. This sole characteristic makes BAISA prone to pressures and handling from local interests. While importers request those Ministers to initiate the process, usually, farmers pressure for the process to be delayed, in order to keep foreign product out of the country. In the case of pork products, as well as in all products, great damage can be done to importers if they are forced to import when international prices are high.

Buyers and Sellers cannot participate personally, but through an authorized (by BAISA) agent. Local importers must also be registered at Ministry of Commerce, as a concern that deals with the product to

be imported, mainly as processor. This leaves newcomers out of the system. International sellers must hire a certified Broker agent in order to offer their product.

Section X. Government Regulatory Agency Contacts

Panamanian Food Safety Authority, AUPSA
Mr. Humberto Bermudez,
National Director of Food Imports Regulations
Tel: (507) 522-0003
Fax: (507) 522-0014
Email: hbermudez@aupsa.gob.pa

Ministry of Agricultural Development, MIDA
Dr. Cesar Maure
Executive Director of Agricultural Quarantine
Tel: (507) 232-5340
Fax: (507) 507-0877
Email: cmaure@mida.gob.pa

Ministry of Health, MINSAs
Mr. Abraham Ducreux
Chief of Food Protection Department
Tel: (507) 512-9180
Fax: (507) 512-9114
Email: aducruex@minsa.gob.pa

National Authority of Customs
P.O. Box 0819-07729
Panama, Panama
Tel: (507) 506-6407
Fax: (507) 506-6240
Contact: Dr. Gloria Moreno de Lopez, Director
E-Mail: Maritza.delopez@ana.gob.pa
Web Site: www.aduanas.gob.pa

^[1] AUPSA has been accepting during the last 3 years, in accordance with the U.S. – Panama SPS/TBT Equivalence Agreement signed on December, 2006, the Supplier or Manufacturer Declaration when the product is not freely sold in the U.S. territory, meaning that is produced for International Sales only. If the food product is freely sold inside the U.S. territory, then any U.S. federal, state or local competent authority should issue a certification, stating that the product is fit for human consumption, and it has been produced in compliance with the U.S. health standards for food manufacturing.

^[2] AUPSA issued the Import Requirement Resolution number AUPSA-DINAN-077-2009 establishing that when the Certificate of Free Sale is presented during product registration, it does not need to be presented with each shipment.

^[3] Any certificate issued by a U.S. federal, state or local competent authority, including the Certificate of Free Sale,

generally indicates that the product is manufactured in the United States, or is originated in the United States; other attest, i.e.: "Country of Origin: United States". When the certificate does not indicate any origin of the product, then AUPSA's inspector at the Port of Entry, may or may not request for a Certificate of Origin, to ensure that the product is from the United States.

Also, a Certificate of Origin is necessary when importing under a tariff-rate quota or under a Tariff preferential treatment, when a Bilateral FTA is in force (the U.S. – Panama Trade Promotion Agreement or FTA was signed on June 28, 2007. Panama approved the TPA on July 11, 2007. The United States has not yet approved the Agreement, because the Congressional Approval is pending).