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**Report Highlights:**

Consumers continue to perceive U.S. food products as high quality, wholesome and reliable, which has resulted in a continuous growth in demand. The U.S.-Panama Trade Promotion Agreement entered into force on October 31, 2012, and the United States – Panama Agreement regarding certain sanitary and phytosanitary measures and technical standards affecting trade in agricultural products, of December 20, 2006, established simplified requirements for the importation of U.S. food and feed products.

Amendments to this bilateral agreement have facilitated U.S. beef, beef products and pet food exports to Panama. Panama imports 60% of all its agricultural product needs from the United States. On March 30, 2021 Panama eliminated the Panamanian Food Safety Authority (formerly AUPSA in Spanish) and created the Panamanian Food Agency (APA in Spanish) to manage the procedures for all imports, exports and local food industry production into an online single window.

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## **DISCLAIMER**

This report was prepared by the USDA Foreign Agriculture Service’s Office of Agriculture Affairs in Panama City, Republic of Panama for U.S. exporters of domestic food and agricultural products. While every possible care has been taken in the preparation of this report, information provided may not be completely accurate either because policies have changed since its preparation, or because clear and consistent information about these policies was not available. It is highly recommended that U.S. exporters verify the full set of import requirements with their foreign customers, who are normally best equipped to research such matters with local authorities, before any goods are shipped. FINAL IMPORT APPROVAL OF ANY PRODUCTS IS SUBJECT TO THE IMPORTING COUNTRY’S RULES AND REGULATIONS AS INTERPRETED BY BORDER OFFICIALS AT THE TIME OF PRODUCT ENTRY.

## EXECUTIVE SUMMARY

The [United States – Panama Agreement regarding certain sanitary and phytosanitary measures and technical standards affecting trade in agricultural products](#), signed December 20, 2006, confirmed that all U.S. federally inspected establishments for meats and poultry are eligible to export to Panama. And all other food products, including but not limited to dairy products, do not need a plant-by-plant approval to export to Panama. U.S. federal government or state government certificates are accepted to accompany each shipment to Panama.

U.S. agricultural exports benefit from the U.S.-Panama Trade Promotion Agreement (TPA), which entered into force on October 31, 2012. Almost half of U.S. agricultural exports immediately received duty-free treatment, with most of the remaining tariffs to be eliminated within 15 years (the last product to get duty-free access will be rice in year 2031). The TPA also provides duty-free access for specified volumes of some agricultural products through tariff rate quotas (TRQs). For more information, please refer to [TPA](#).

### Country Overview:

The COVID-19 pandemic has shaken the Panamanian economy, and it is unclear how fast it will recover. The Gross Domestic Product (GDP) of Panama contracted 17.9% in 2020. However, The World Bank forecasts real GDP growth of 9.9% in 2021 and then convergence to a potential growth rate of about 5%. Agricultural production in Panama only represents 2.3 percent of the GDP. The economy of Panama is centered on a highly developed service sector (75%). Therefore, Panama is dependent on foreign food and feed. Panama imports 60% of all its food and agricultural product needs from the United States.

In 2021, Panama continued its steady recovery and is the Central American country with the highest proportion of the population (81%) fully vaccinated against Covid-19 virus. The country has been one of the fastest growing economies in Latin America and the Caribbean with a small, dollarized economy, and growing revenues from The Panama Canal.

From January to October 2021, U.S. agricultural and related product total exports were valued at \$764.7 million; of those U.S. consumer-oriented product exports totaled \$525.5 million, making Panama the 24<sup>th</sup> largest market for these U.S. products. Food and agricultural products from the United States are considered high quality and are well-accepted overall. Major U.S. food exports to Panama are: Prepared Food; Dairy Products; Pork and Pork Products; Poultry Meat; Snack Foods; Processed Food; Wine and Beer; Dog and Cat Food; Chocolates.

Exporting meat and poultry to Panama has become more complicated over the last two years due to the following regulations established by the Panamanian government:

[Executive Decree No. 255 of June 27, 2019](#), of the Ministry of Health (MINSAs), which modifies the sanitary regulations for the processing, storage, distribution, sale and transportation of meat and meat products and poultry.

Ministry of Agricultural Development (MIDA) [Resolution No. OAL-211-2019](#) of December 10, 2019, which creates the National Commission for Ordering and Compliance for the importation of meats and poultry.

MIDA's [Resolution No. OAL-121-2019](#) of October 17, 2019, which establishes the National Traceability Program, requiring that all imported meats and poultry must have labeled the country of origin, and to verify the compliance of the prohibition of commercialization of frozen meats and poultry MICI's [Resolution No. 86 of August 20, 2019](#), which establishes the measures for commercialization of beef.

[Cabinet Decree No. 29 of December 10, 2019](#), that adds beef as sensitive product for the national economy.

Also, exporting onions and potatoes has become very challenging with Panama's Technical Regulations on Onions and Potatoes, which, among other regulations, contains a harvest date commercialization window of between 75 and 120 post-harvests.

On March 30, 2021, Panama eliminated the Panamanian Food Safety Authority (formerly AUPSA in Spanish) and created the Panamanian Food Agency (APA in Spanish) to manage the procedures for all food imports, exports, and local food industry production into an online single window. During the coming year, it is expected that the Government of Panama will fully implement APA, creating new import procedures for agricultural products that are "sensitive" for Panamanian local production, such as pork, beef, dairy products, poultry, rice, onions, and potatoes. However, [the United States – Panama Agreement regarding certain sanitary and phytosanitary measures and technical standards affecting trade in agricultural products](#), in effect since 2006, should continue supporting U.S. food and agricultural product exports to Panama, without major obstacles.

## **Section I. Food Laws:**

Acronyms used in this document:

GOP: Government of Panama

TPA: U.S. - Panama Trade Promotion Agreement

APA: Panamanian Food Agency

AUPSA: Panamanian Food Safety Authority (eliminated on March 30, 2021, by Law 206)

MIDA: Ministry of Agricultural Development of Panama

MICI: Ministry of Commerce and Industry of Panama

MINSA: Ministry of Health of Panama

OIE: International Organization for Animal Health

BSE: Bovine Spongiform Encephalopathy

USDA: U.S. Department of Agriculture

FSIS: Food Safety Inspection Service

APHIS: Animal and Plant Health Inspection Service

NOAA: National Oceanic and Atmospheric Administration

FAS: Foreign Agricultural Service

Panama adopted the terms of the bilateral agreement, “*The United States – Panama Agreement regarding certain sanitary and phytosanitary measures and technical standards affecting trade in agricultural products*”, signed December 20, 2006, by publishing the following regulations:

- [Law Decree 11 of February 22, 2006](#), published February 24, 2006, which created the Panamanian Food Safety Authority (AUPSA), responsible for sanitary and phytosanitary system (SPS) and certain measures related to the importation of food and feed products. It is important to note that this Law Decree 11 of 2006 was eliminated on March 30, 2021, through [Law 206 of 2021](#), which eliminated AUPSA and created the Panamanian Food Agency (APA in Spanish), which manages the procedures for all food imports, exports, and local food industry production into an online single window, enabling traders to submit documentation and/or data requirements for importation, exportation, or transit of food and feed products. The regulatory authority of AUPSA returned to the Ministry of Agricultural Development and Ministry of Health.
- [MIDA Resolution No. 60 of March 24, 2006](#), published February 8, 2007, by which Panama grants equivalence recognition to the U.S. SPS and related regulatory system for meats, poultry, dairy and other products for human and animal consumption. This resolution also contains provisions related to certification requirements for U.S. agricultural exports to Panama.
- [MIDA Resolution No. DAL-216-ADM of August 23, 2006](#), published February 8, 2007, by which Panama adopts OIE-consistent measures related to BSE for U.S. bovine products.
- [MINSA Resolution No. 070-A of March 24, 2006](#), published February 12, 2007, by which Panama grants equivalence recognition to the U.S. SPS and related regulatory system for meats, poultry, dairy, and other products for human and animal consumption. It also contains provisions related to certification requirements for U.S. agricultural exports to Panama.
- [MIDA Resolution No. DAL-30-ADM of June 2, 2006](#), published February 27, 2007, by which Panama recognizes U.S. beef grading and cuts nomenclature systems as equivalent.
- [MIDA Resolution No. DAL-274-ADM of November 20, 2006](#), published February 27, 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. It also contains provisions related to certification requirements for U.S. poultry products.
- AUPSA Scientific and Technical Council of Food Safety [Resolution No. 001, of February 22, 2007](#) published February 27, 2007, and corrected on March 1, 2007, by which it recognizes the equivalence of the U.S. SPS system for the importation of meats, poultry, dairy, and other products, and contains provisions related to certification requirements. It established alternatives to product registration.
- AUPSA’s Scientific and Technical Council of Food Safety [Resolution No. 002 of February 28, 2007](#), published March 1, 2007, by which Panama grandfathers MIDA’s Resolution DAL-216-ADM, and MIDA Resolution No. DAL-274-ADM on BSE and avian diseases.
- AUPSA’s Scientific and Technical Council of Food Safety [Resolution No. 002 of May 17, 2013](#), by which it modifies the Resolution No. 001 of February 22, 2007 that recognizes the equivalence of the United States for the importation of meats, poultry, dairy and other products, and contains provisions related to certification requirements. With this amendment of the Annex of the Resolution 001, henceforth there is no need to use the Bovine Export Verification Program for U.S. Beef and Beef products exports to Panama.

- AUPSA’s Scientific and Technical Council of Food Safety [Resolution No. 002 of February 10, 2015](#), by which it modifies the Resolution No. 001 of February 22, 2007 that recognizes the equivalence of the U.S. SPS regulatory system for the importation of meats, poultry, dairy, and other products, and contains provisions related to certification requirements. By amending the Annex of Resolution 001, this resolution simplifies exports to Panama of U.S. pet food containing animal origin ingredients.
- [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.

Besides the above-mentioned laws and regulations, the U.S.-Panama TPA, which entered into force on October 31, 2012, has several chapters that established new applicable regulations for U.S. food products exported to Panama such as the chapters on Market Access, Sanitary and Phytosanitary Measures, Technical Barriers to Trade (TBT), Rules of Origin, and Intellectual Property Rights, among others. The complete text of the TPA can be accessed through this hyperlink of the [U.S. Trade Representative website](#).

In 2021, the Government of Panama issued [Law 206 of 2021](#), which eliminated AUPSA and created APA and returned the regulatory authority over food imports to the Ministry of Agricultural Development and the Ministry of Health. All procedures for food imports, exports, and local food industry production will be submitted through [APA’s website](#), as a single window using the Integrated Processing System (SIT in Spanish) to request: sanitary food registrations; sanitary and phytosanitary import requirements for food and feed products; prior notifications for food imports; plant approvals, among others. These procedures are regulated through the [Executive Decree No. 125 of September 29, 2021](#).

Articles 37 and 38 of Law 206 of 2021, establishes that sanitary and phytosanitary import requirements for food and feed products, sanitary registrations, approved food facilities, and sanitary and phytosanitary eligibility of countries issued by AUPSA will remain in force until their expiration date, or until the competent authorities (MIDA or MINSA) modifies them.

Also, on May 14, 2021, the Ministry of Health created the National Directorate for Food Control and Veterinary Surveillance (DNCAVV in Spanish), through [Executive Decree No. 770, 2021](#). DNCAVV replaces the former Food Protection Department, and the former Zoonosis Control Department of the Ministry of Health, merging them into a higher-level National Directorate under the Minister of Health. DNCAVV is responsible of approving and issuing sanitary operations permits; processing, retail, and slaughtering facilities approvals; sanitary registrations for local and imported food products; and all the sanitary requirements related to food safety.

## **Section II. Labeling Requirements:**

### **A. General Requirements**

The label can be in English. There is no requirement for labels to be in Spanish ([Article 36 of Law 45 of October 31, 2007](#)), except for medicines, agricultural chemicals, toxic products, and food products that require specific instructions or warnings because of risks to human health, such as health enhancers.

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 (mom & pop’s), 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 and MINSA are 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.

There are occasional legislative efforts to require Spanish language labels on imported U.S. products. Given the wide-spread understanding of at least written English in Panama, English’s status as an officially recognized language, and the economic benefits to consumers of reduced logistics costs, continuation of the current language labeling regulations offers significant advantages to Panama.

On January 22, 2020, a Panamanian legislator submitted a [draft bill No. 265 on Front-of-Pack Labeling \(FOPL\)](#) with Nutritional Warnings that could impose stringent regulations including stop-sign decals on food and beverage packages to warn consumers of the products’ “unhealthy” attributes, these “stop-signs” should be placed on the FOPL: high in calories; high in sodium; high in sugar; high in fat; high in saturated fat; high in trans-fat; contains non-caloric sweetener; contains caffeine, as proposed in the draft bill. It also proposes that this FOPL be a mandatory requirement in order to obtain the sanitary registration for locally produced or imported food products.

## **B. Requirements for Other Specific Labeling**

**Poultry products:** The [Technical Regulation DGNTI-COPANIT No. 33-480-2007](#) of the Ministry of Commerce and Industry of Panama, General Directorate of Standards and Industrial Technology, establishes on its article 7.1.2. That the label must include:

- The statement "keep refrigerated or frozen" according to the case.
- Expiration date for the fresh-refrigerated or frozen product:  
Shelf-life with the legend: "Consume before" or "Consume preferably before"

Half-life for the fresh-refrigerated product: not exceeding 0 to 7 degrees Celsius for a maximum of ten (10) days.

Half-life for the frozen product: at a temperature between 0 and -18 degrees Celsius for a maximum of one (1) year.

- Date of production.

**Milled rice:** All milled rice sold in Panama, according to the [Technical Regulation DGNTI-COPANIT No. 75 of 2002](#), must be labeled that it contains “no less than 95 percent of long grain rice” for Special Rice or “no less than 95 percent of medium grain rice” for Premier Rice.

**Dietary supplements and vitamins:** If a product say in the label that it has any type of therapeutic or health improvement purpose, it needs a certified authorization from the Department of Pharmacy and Drugs of the Ministry of Health of Panama before it can be registered with AUPSA. All the documentation in English must be accompanied with a Spanish translation for the process at MINSA.

**Baby food:** Since April 2014, all baby food products, such as infant formula, complementary food (fruit and vegetable juices, puree), baby bottles, and pacifiers need to have additional stickers over the product labels in Spanish and uppercase font that states, "Mother's milk is the best food for infants." Panama issued the [Executive Decree 513 of May 14, 2013](#), and [Executive Decree 1457 of October 30, 2012](#), Regulating [Law No. 50 of November 23, 1995](#), which protects and promotes breastfeeding. The new regulation is applicable for locally produced and imported products.

**Onions and Potatoes:** The [Technical Regulation No. 52-2017 for onions](#), and the [Technical Regulation No. 65-2019 for potatoes](#), establishes that all bags must have the following information on each label:

- name of the producer or business name of the company
- address
- telephone
- harvest date (MM / DD / YY)
- packing date (MM / DD / YY)
- category
- origin
- size (large, medium or small)
- gauge (mm)
- net weight (Kilograms or Pounds)
- Expiration Date (MM / DD / YY, determined from harvest date)

**Sugary beverages:** Panama's [Law 114 of November 18, 2019](#), which establishes a new selective consumption tax on sugary beverages of 7% for sodas and 5% for juices and other sugary beverages,

also requires mandatory labeling in Spanish of nutritional facts and ingredients (article 13 of the law 114). The labeling in Spanish can be via a sticker.

**Plant-based meat/dairy alternatives:** Panama requires that plant-based food products, including substitutes for bovine, swine, or poultry meats, shall be labeled as plant-based meat, to avoid deceiving the end-consumer. And for dairy alternatives, when they are made of a “milk substitute” that it is not obtained by the complete milking of one or more mammal (cow milk, goat milk, sheep milk), they have to label the plant-based origin of the dairy alternative product, sold as “milks” or “cheese” but made from plants, such as almond, rice, oat, soy, coconut and hemp, as it is established on article 7.2.1.1. of Panama’s [Technical Regulation No. 16-2003](#) for milk and dairy products.

### **Section III: Packaging and Container Regulations**

Panama requires that all products are packaged with “food grade materials”. There are technical regulations issued for specific products (section VI of this report), which has packaging materials requirements.

According to Article 24 of [Law 206 of March 30, 2021](#), all processed food products for retail, bottled or packaged in some form with given name and brand, must be registered at the Panamanian Food Agency (APA), prior to importation. The approval of the Sanitary Registration will be given by DNCAVV, based on article 8 of the [Executive Decree No. 770, 2021](#). This means that all food products intended for retail as a final product for direct consumption must be registered prior to importation, sale, or trade. Excluded from the above are raw materials such as fresh meats (which are not packed and ready for retail), 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 regulation, according to MINSA [Resolution No. 181 of August 10, 2001](#).

**Packaging Sustainability Measures:** Panama established through [Law 187 of December 2, 2020](#), a ban on single-use plastics for containers and packaging materials. Article 8 reads: “*The progressive replacement of single-use plastic articles by products manufactured with reusable, recyclable, biodegradable or compostable materials is established*”. These products must comply with this law no later than July 1, 2022: Plastic packaging for eggs, disposable plastic stirrers, plastic straws, plastic candy sticks, disposable plates or trays for food, plastic rings for cans. This law was created as Panama’s national strategy for reducing plastic packaging waste.

## **Section IV: Food Additive Regulations**

Panama adheres to the Codex Alimentarius Standards in regards to food additives as established by [Codex Standard 192-1995](#) and other Codex Standards for specific categories of food products.

There are some specific food additive regulations:

- Technical Regulation DGNTI-COPANIT (Panama) 08-241-1998 concerns deli products (hams, sausages).
- It is forbidden to use additives in frozen calamari, per Codex Standard 191-1995.
- 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 an additive, as established in Technical Regulation DGNTI-COPANIT (Panama) 26-399-1999 and in 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.

If a food additive is going to be exported to Panama for the food processing industry, it must be brought in through APA's import procedures as described in section IX of this report and with its specific [Technical Regulations](#).

## **Section V: Pesticides and Other Contaminants**

MINSA [Executive Decree No. 467](#), from November 7, 2007, published in Official Gazette No. 25932 of December 4, 2007, dictates the maximum limits of pesticide residues (MRLs) and other contaminants in fruits and vegetables for internal consumption as well as for exports. This rule adopts maximum levels applied by 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 laboratory 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. In addition, they are applying for International Standards Organization (ISO) certification. FAS has provided technical assistance to Panama's efforts in this area.

## Section VI: Other Requirements, Regulations, and Registration measures

### A. Facility Registration

All U.S. federally inspected establishments for meat and poultry are eligible to export to Panama. The list of facilities can be found at: <https://www.fsis.usda.gov/inspection/establishments/meat-poultry-and-egg-product-inspection-directory>

All U.S. Dairy establishments, federally inspected by AMS or FDA or by the competent state authority, and that are approved for exports are eligible to export to Panama without a plant-by-plant inspection or approval by Panamanian authorities. However, APA has been requesting that new dairy facilities wishing to be added to the APA's database (a requirement), must be supported by a letter from the Office of Agricultural Affairs of the United States Embassy in Panama (FAS office in Panama). The letter must contain the name of the dairy facility, its address, dairy products that will be exported from that facility to Panama and their respective tariff codes.

Panama does not have substantial food facility registration requirements for the United States as was agreed in The [\*United States – Panama Agreement regarding certain sanitary and phytosanitary measures and technical standards affecting trade in agricultural products\*](#), of December 20, 2006.

### B. Product Registration

The Panamanian Food Agency (APA) is the agency created to process, as a single window, all aspects of food importation. In compliance with the bilateral SPS agreement, they receive requests for sanitary registration of food and feed products and provide answers normally within 24 hours. Over the last year, however, COVID-19 and restrictions on the number of people in the office APA has taken up to 21 days to give the requested registration number. This procedure can be made online and there are no fees for this service. The submission of documentation as indicated in this section may be through [APA's website](#), which is user-friendly, but in Spanish only.

According to Article 24 of [Law 206 of March 30, 2021](#), all processed food products for retail, bottled or packaged in some form with given name and brand, must be [registered](#) at the Panamanian Food Agency (APA), prior to importation. This means that all food products intended for retail as a final product for direct consumption should be registered before import, sale, or trade, including alcoholic beverages, snacks, and canned food, among others.

Based on the article 7 of the [United States – Panama Agreement on Certain Sanitary and Phytosanitary Measures and Technical Standards affecting Agricultural products of December 20, 2006](#), for food product sanitary registration, importers or the exporters 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 either:
  - 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, such as a Sanitary Certificate issued by your state authority (Agriculture or Health), which certifies that the product is fit for human consumption and complies with the sanitary regulations in your state. A list of state authorities can be found at: <https://www.fas.usda.gov/certificate-free-sale-point-contact-list>. In the case of the [State of Florida, the Certificate of Free Sale](#) is issued by Enterprise Florida, Inc. Florida, especially the port of Miami, is a top consolidation point for food products exported to Panama.

Also, in 2018, the U.S. Food and Drug Administration (FDA) through the Center for Food Safety and Applied Nutrition, started to issue [Certificates for Exportability and Certificates to a Foreign Government for food for human consumption](#), which can also be used to accompany shipments of U.S. food exports to Panama.

- b. A Supplier or Manufacturer's Declaration (if the product is for international sales only, not sold in the United States), on company letterhead, stating that the product is fit for human consumption.

In addition, so APA may corroborate the above information, it is necessary to send legible scanned copy of all labels. The originals of such documents shall be presented at APA's Registry office, within a period of 30 working days, starting from the online application submission date. Lately, APA has been requesting the scanned image of the bar code of the product.

**Sanitary registration for U.S. origin food products** shall remain in effect as long as the information provided remains unchanged. Starting October 1, 2021, APA requires an [inscription for the import of raw materials](#) such as fresh meats (which are not packed and ready for retail, or which are used for food service or food processing), fresh vegetables and fresh fruits, dry beans, grains in bulk loads or in bags, dairy product in bulk loads or in bags for further processing, and ingredients and additives for the process of a final food product.

For the **registration and import of food products from non-U.S. origin**, regardless of their being exported from a U.S. exporting company or distributor, shipments must be accompanied by:

- a) Free Sale Certificate or Sanitary Certificate issued by a competent authority.
- b) Prior Notification Form made in [APA's online system](#) (SIT in Spanish).
- c) Certificate of Analysis or Quality Guarantee Sheet in original, issued by the manufacturer or distributor of the food, for each batch/lot.
- d) Certificate of Export or Re-Export if the product has origin in a third country, attesting the country of origin.

- e) Copy of the commercial invoice
- f) Customs Declaration or Pre-declaration

### **Other Certification and Testing Requirements:**

The certifications that must accompany shipments are:

- a. For meats and poultry: a FSIS Export Certificate of Wholesomeness (FSIS form 9060-5)
- b. For fresh vegetables and fresh fruits, grains in bulk loads or in bags: an APHIS Phytosanitary Certificate (PPQ Form 577)
- c. For seafood and fishery products: a NOAA's Health Certificate for fishery products.
- d. For dairy products, other processed products, ingredients, and additives for the process of a final food product: 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, such as a Sanitary Certificate issued by your state authority (Agriculture or Health), which certifies that the product is fit for human consumption and complies with the sanitary regulations in your state. Also, for dairy products the USDA/AMS Sanitary Certificate for Exports or the USDA/APHIS Export Certificate for Animal Products (VS Form 16-4), and the FDA's Certificates of Export for Food products can be used.
- e. For shell eggs for human consumption: USDA/AMS Disease Free Certification Statements for Panama, and USDA/AMS Fresh Shell eggs Grading Certificate for consumption (AMS Form PY-210S)
- f. For Pet Food: an USDA/APHIS Export Certificate for Animal Products (VS Form 16-4) with the additional statements mentioned on Section VII, paragraph c of this report.

The Inspection, Testing and Sampling requirements are:

1. A computer-based importation/verification system of APA, known as SIT, is used at the ports of entry in Panama. The SIT system allows for the inspectors to see when the load will arrive, and what kind of tests (microbiological, entomological, chemical, MRL, etc.) must be done. The software also allows the general public to learn about the import sanitary requirements, how much food has been imported, and by whom. <https://apa.gob.pa>
2. At the ports of entry, shipment clearance is based on documents and physical inspections.
3. Customs inspectors also verify the shipment, especially the Customs Declaration Form and the payment of duties, if applicable.
4. Frozen and Refrigerated food products, for physical inspection, are not opened at the ports of entry because of lack of cold storage facilities.
5. Since the ports of entry, especially the docks, don't have refrigerated facilities, APA, or DNCAVV inspectors execute the physical inspection process in the importers' cold storage facilities or at the processing plant, to preserve the cold chain of the food product.
6. For sampling, a whole box of product is taken from the load for further organoleptic, microbiological, and toxic residues testing.
7. A laboratory analysis order is issued for the sample to be tested and a certified GOP laboratory is selected for the testing purposes (i.e., LCRSP, LADIV, LSV, IEA or other).

8. The analysis parameter(s) to be tested for any specific sample is also randomly selected by the SIT, through bio-statistics software.
9. Panama has a zero-tolerance policy towards e. coli and salmonella spp. in cooked products; raw products could have a certain number of positive samples, and if this occurs, the inspectors send a warning to the importer.
10. When a foreign processing plant or establishment (including but not limited to the United States) is exporting to Panama for the first time, it is subjected to sampling of five consecutive loads/shipments (starting sampling), then a reduced sampling protocol follows for every 11 loads and then on every 22 loads.
11. If an MRL analysis yields a positive result or if there is a microbiological finding, five consecutive loads will be sampled.

## **Section VII: Other Specific Standards:**

### **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 Codex Alimentarius and serves as the registering authority for participation in the ISO program.

The DGNTI leads in conducting conformity assessments but is joined by a number of other public and private organizations. 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 (ACODECO), and the Agricultural Marketing Institute (IMA).

Law 23 of July 15, 1997, requires that COPANIT and 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. The following are food products for which they have issued a Technical Regulation:

- Cereals, Pastas, 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
- Onions
- Potatoes
- Poultry products
- Additives
- Colors
- Fish, frozen
- Fishmeal
- Beef and products
- Eggs and egg products

Complete information (in Spanish) may be accessed at the Ministry of Commerce and Industry website for [Technical Regulations](#).

#### **Vitamin and Mineral enrichment requirements**

As per MINSA Resolution No. 5705 of October 28, 1996, Panama forbids adding potassium bromate to wheat flour, adopting CODEX Standard 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.

- a) All **wheat flour** must be fortified with iron according to the Executive Decree No. 80 of March 24, 2003.
- b) All **table salt** for human consumption must contain iodine according to the Executive Decree No. 127 of August 31, 1998. Former Panama's Food Safety Authority (AUPSA) issued [Resolution No. 048-AG-2016](#) on August 2, 2016, disabling the Sanitary Registration for all imported non-iodized salt for human consumption.

AUPSA's resolution is based on the Executive Decree No. 20 of March 2, 2001, which establishes that all the salt that is processed, produced, imported, or sold, for human consumption inside of Panama must contain an amount of iodine between 20 to 60 mg/Kg (20 to 60 ppm).

## **Import Requirements for U.S. Beef and Beef products to Panama**

Import requirements for U.S. beef and beef products for human consumption, adopted by AUPSA's Scientific and Technical Council of Food Safety [Resolution No. 002 of May 17, 2013](#), by which it modifies the Resolution No. 001, of February 22, 2007, recognizes the equivalence of the U.S. Sanitary and Phytosanitary system for the importation of meat, poultry, dairy, and other products, and contains provisions related to certification requirements. With this amendment of the [Annex](#) of the Resolution No. 001, the use of the Bovine Export Verification Program for U.S. Beef and Beef products exported to Panama is no longer required as Panama recognizes the equivalence of SPS and other related regulatory systems of the United States.

In accordance with the above in the mentioned resolutions, beef meat and meat products for human consumption originating from the United States must be accompanied by an Export Certificate of Wholesomeness issued by USDA's FSIS with no additional certification statements.

Article 5 of the Agreement establishes that all products containing, by weight, more than 3 percent of meat must be accompanied by an FSIS Export Certificate of Wholesomeness.

The previous resolution was modified by AUPSA, after a re-negotiation with the GOP because Panama and the United States have the same BSE Risk Status (Negligible risk) recognized by OIE as of May 2013.

The export requirements for U.S. meats and poultry to Panama can be found in English at the following link: <http://www.fsis.usda.gov/wps/portal/fsis/topics/international-affairs/exporting-products/export-library-requirements-by-country/Panama>

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

1. Copy of the Prior Notification Form made in [APA's online system](#)
2. Copy of the commercial invoice of the product.
3. Custom's pre-declaration.

In the last two years, exporting U.S. meat and poultry to Panama has become more complicated due to the following regulations established by the Panamanian government administration:

- a) [Executive Decree No. 255 of June 27, 2019](#) of the Ministry of Health, about the sanitary procedures to commercialize meats and poultry. This regulation in its article 16 establishes that the shelf life of chilled meat may not exceed 120 hours (5 days) from the processing of the carcass. After this period, they must be frozen and sold as frozen meat in the processor's packaging. Also, article 17 prohibits the thawing of the meat and poultry, for the purpose to be sold as refrigerated or chilled, and the removal of packaging from the meat and meat product for

cutting and/or repackaging will be penalized. Article 20 establishes that meat in cuts and poultry, must have in Spanish the identification of the plant that processed them, the date of slaughter, the packing date, the expiration date, the type of cut, the process to which it was submitted and the percentage of water absorption. In the case of species other than cattle, swine and poultry, the species must be declared.

- b) [MIDA's Resolution No. OAL-211-2019](#) of December 10, 2019, which creates the National Commission for Ordering and Compliance for the importation of meat and poultry, which targets unfair competition and open sanitary violation of frozen meats that are entering the country and being sold at retail.
- c) [MIDA's Resolution No. OAL-121-2019](#) of October 17, 2019, which establishes the National Traceability Program, requiring that all imported meat and poultry must label the country of origin, and to verify the compliance to the prohibition on commercialization of frozen meat and poultry, established by the Executive Decree 255 of 2019, aforementioned.
- d) [MICI's Resolution No. 86 of August 20, 2019](#), which establishes the measures for commercialization of beef, especially for beef not graded USDA Prime or Choice.
- e) [Panama's Customs Resolution No. 276 of August 20, 2019](#), which establishes the mandatory prior consultation for Customs Valuation for import and commercialization of beef.
- f) [Cabinet Decree No. 29 of December 10, 2019](#), that adds beef as a sensitive product to the national economy, including USDA Prime and Choice beef.

### **Import Requirements for U.S. Pet Food to Panama**

In June 2014, pet food certification requirements were simplified following an [exchange of letters](#) between USTR and the Panamanian Ministries of Agriculture, Health, and Commerce. This agreement entered into force through [AUPSA's Scientific and Technical Council of Food Safety Resolution No. 002 of February 10, 2015](#), by which it modified Resolution No. 001 of February 22, 2007 that recognizes the equivalence of the U.S. SPS for the importation of meats, poultry, dairy and other products, and contains provisions related to certification requirements. With the amendment of the Annex of the Resolution 001, U.S. pet food exports to Panama containing animal origin ingredients were greatly simplified.

The revised additional certification statements on USDA APHIS export certificates that accompany U.S. shipments of pet food containing animal origin ingredients to Panama are:

1. The products may be freely sold in the United States as pet food.

2. Dry, semi-moist, and dehydrated pet food products were subjected during processing to a heat temperature designed to ensure the destruction of pathogenic agents harmful to animals.
3. Canned pet food products have been treated in hermetically sealed containers with an F0 of 3.0 or more.
4. The product has been hygienically handled and packed in clean containers made of impermeable, hermetic, and strong materials that are sufficient to protect the product from environmental contamination and safeguard commercial sterility obtained during thermal processing.

### **Specific Import Requirement for Table Stock Potatoes:**

APA requires an additional certification on the Phytosanitary Export Certificate (issued by the Animal and Plant Health Inspection Service (APHIS)) for sprout inhibitor applications on shipments of U.S. table stock potatoes. In order to meet this requirement, APHIS recommends that shippers provide a "Packer Affidavit" stating that a sprout inhibitor application on shipments of U.S. table stock potatoes has been given as part of the shipping documentation.

Potatoes must be free of the following pests and must be stated in the Additional Declarations line of the Phytosanitary Export Certificate: *Ditylenchus destructor*, *Ditylenchus dispaci*, *Phthorimaea operculella*, *Pratylenchus penetrans* and *Tylenchorhynchus claytoni*. Also, it needs to be produced in a free area of potato purple top (except for potatoes from State of Washington) or apply anti-sprout fumigation, per [AUPSA's Resolution AUPSA-DINAN-035-2016](#).

If [Technical Regulation No. DGNTI-COPANIT 65-2019](#) establishing new quality requirements for potatoes enters into force as currently written, it will significantly impact the commercialization of potatoes from the United States in Panama. The GOP has delayed its implementation to consider suggested revisions. Relevant issues include: articles 15.1 (sale of fresh potatoes in bulk), article 15.2 (sale of fresh potatoes in retail) that establishes that each bag of potatoes must have labeled the harvest date, the date of packaging and also the Due Date (30 days at room temperature and 90 days in cold temperature, determined from the date of harvest) written in the format of days/month/year, and article 7 requirements, establishing that lots will be rejected according to visual potato analysis that have the following characteristics:

- High incidence of rot
- Objectionable odors
- High incidence of damage by pests
- High incidence of mechanical damage
- High percentages of strong deformations

- Contaminated potatoes (chemicals or foreign matter)
- Flaccidity
- Presence of pests
- High percentage of greening
- Sprouted potatoes (this Technical Regulation establishes a zero tolerance on its article 7.2)

Generally speaking, international potato shipments contain a small percentage of sprouted potatoes, regardless of time since harvest. This minor quality issue has a long history of resolution at the commercial level and handlers of both domestic potatoes and imported potatoes are well versed in how to provide the highest quality product to end consumers.

### **Specific Import Requirement for Onions:**

On July 8, 2016, Panama notified to the World Trade Organization (WTO) Technical Barriers to Trade (TBT) Committee the Notification G/TBT/N/PAN/86 regarding the technical regulation [DGNTI-COPANIT 52-2017](#), establishing new quality requirements for fresh onions.

This technical regulation includes a restriction that the onions must be sold within 120 days of harvest if refrigerated or within 75 days of harvest if the onions are stored at a temperature between 25 and 30 degrees Celsius. The regulation also includes specific packaging and labeling materials, among other requirements for sampling and testing by MIDA's Quarantine Directorate.

Onions must be free of the pest *Ditylenchus dipsaci* and must be stated on the *Additional Declarations* line of the APHIS/PPQ Phytosanitary Export Certificate. A laboratory analysis with a result of free of *Ditylenchus dipsaci* is no longer required before embarkation of the shipment to Panama. A nematode analysis for *Ditylenchus dipsaci* will be performed by MIDA's Laboratory of Plant Health, once the shipment arrives in Panama.

### **Import Requirement for Third-Country Food Products Coming from the United States**

Third-country food products coming from the United States to Panama are considered by APA as a re-exported or transshipped product. Therefore, the shipment must be accompanied by the photocopy of the sanitary or phytosanitary certificates from the country(ies) of origin. This requirement also applies for sanitary registration of third-country food products. The streamlined regulations for U.S. food product registration are not applicable.

For the importation of rice (*Oryza sativa L.*) milled, packaged, or re-packaged for human consumption and /or for processing originating in Asia, coming from the United States of America, the shipment

must be accompanied by a phytosanitary export or re-export certificate, issued by USDA-APHIS with the following additional declarations:

1. The rice has undergone a process of inspection and sampling, and during the storage period in the United States of America, the grains were not exposed to the risk of pest infestation or infection or pollutants.
2. The rice comes free of live insects of any kind, as well as other biologicals, chemicals, and physical contaminants, including soils.
3. The phytosanitary export or re-export certificate must include an additional statement certifying that the rice is free of *Trogoderma granarium*.

### **Import Requirement for Commercial Samples of Food Products, for Personal Consumption, Food Aid Donations and Special Events:**

In accordance with import requirements published in Resolution AUPSA-DINAN-055-2016 for commercial samples of food products, personal consumption, food aid donations, and special events (such as gastronomic exhibitions, tastings, and diplomatic events), food products can only be imported if they have been processed and pre-packaged to minimize potential health and/or phytosanitary risks, and only non-processed foods from eligible countries recognized by the GOP can be imported. Food products for commercial samples, personal consumption, special events and donations do not require sanitary registration of the product in APA.

The following documentation must be presented at the port of entry in Panama (terrestrial border, airports, and maritime ports):

1. Import Prior Notification Form with the signature of approval by APA. If the importers are out of the country at the time of application, an e-mail can be sent to [normas@apa.gob.pa](mailto:normas@apa.gob.pa) with the Import Prior Notification Form scanned requesting the authorization for the importation.
2. Sanitary or Phytosanitary Export Certification notarized. Also, a Free Sale Certificate or a Sanitary Certificate issued by the state authority (Agriculture or Health), which certifies that the product is fit for human consumption and complies with the sanitary regulations in your state. A list of states authorities can be found at: <https://www.fas.usda.gov/certificate-free-sale-point-contact-list>
3. Payment of \$2.00 for verification of commercial samples of food products, and for personal consumption. The payment must be made through National Bank of Panama, Checking Account No. 010000104031. A National Bank of Panama is located at the Tocumen International Airport.

The following are exempt to request the above authorization, based on article 3 of Resolution AUPSA-DINAN-021-2014:

- 13 - Gums, resins and other vegetable saps and extracts

- 15 - Animal or vegetable fats and oils
- 17 - Sugars and sugar confectionery
- 18 - Cocoa or its preparations
- 19 - Preparations of cereals, flour, etc.
- 20 - Preparations of vegetables, fruit plants
- 22 - Drinks, spirits, and vinegar
- 25 - Mineral products
- 28, 30, 32, 34 - additives used for food processing
- 29 - Organic chemicals
- 33 - Essential oils and resinoids
- 35 - Starches and starch products

Below are the maximum allowable amounts authorized for importing food products for commercial samples and personal consumption (if a greater amount is required, the importer shall request the Import Prior Notification Form authorization for the importation from APA):

- Commercial samples: up to 5 kilograms or its equivalent in volume by product.
- Personal consumption: up to 20 kilograms or its equivalent in volume, in total per person.
- Dietary Supplements for personal consumption: up to 3 kilograms or its equivalent in volume, in total per person.

If the above requirements and documentation that accompany food products are fulfilled (in case an APA Import Prior Notification Form authorization is needed), the inspection procedure is immediate and on-site.

### **Import requirement for shell eggs for human consumption:**

For clarification purposes, packing material represents shell egg cartons (6-egg, 12-egg, 18-egg, etc.); packaging material represents loose pack shipping containers (i.e., 15, 24, or 30-Dozen Cases):

- All shell eggs must originate from the United States.
- Flocks must be participating in the National Poultry Improvement Plan (NPIP) administered by APHIS / USDA.
- Product must be in compliance with the Food and Drug Administration's (FDA) regulations for the prevention of salmonella in shelled eggs during production, storage, and transport.
- Product must be processed and packed under USDA supervision in shell egg facilities utilizing either USDA's voluntary resident or temporary grading service.
- The shell eggs must be graded and certified as U.S. Grade A or better, as outlined in the United States Standards, Grades, and Weight Classes for Shell Eggs. Regardless of the grade, certification must be determined by either online or stationary lot grading.
- All packing and packaging material must be new, showing no evidence of previous use.

- All packing and packaging material must contain the Statement of Identity (EGGS). The “Keep Refrigerated” statement or similar terminology must appear on individual packing material. Packing material must contain the Safe Handling Statement, as well.
- The Country Code (US) must be stamped on individual packing material. Alternatively, each egg can be individually stamped with the Country Code (US) when packaging material is utilized.
- All packing material must contain the Packing Date (Batch Date). This date represents the consecutive day of the year in which the product was processed (i.e., 001 = January 01). All packing material must contain a valid legal line (corporate or producer/packer); U.S. grade, size, and quantity of product; official plant number; and duration of quality.
- All packaging material must contain the Packing Date (Batch Date). This date represents the consecutive day of the year in which the product was processed (i.e., 001 = January 01). All packaging material must contain the name, address, city, state, and zip code of the producer/packer; U.S. grade, size, and quantity of the product; official plant number; duration of quality, and the flock identification number. Alternatively, the flock identification number can be recorded on the Form PY-75 for each load that is produced.
- The USDA Graded for Export Stamp with the applicable certificate number must be stamped on individual packaging.
- The duration of quality cannot exceed 45 days, including the date of processing. The following prefixes must be used in conjunction with the duration of quality: Best Before, or EXP. If the prefix, EXP is used with duration of quality that exceeds 30 days including packing date, the following disclaimer will be printed in the remarks section of the Shell Egg Grading Certificate: “The expiration date declared on the product is the responsibility of the applicant.”
- All shipment of fresh shell eggs, in shell (shell), for human consumption, must be stored and transported at a maximum of 7.2 degrees Celsius ambient temperature.
- The containers and / or thermos-refrigerated vehicles must be sealed (locked, strapping) and sealed so that these labels can be removed only by the GOP inspector, upon arrival to the country.
- The shell eggs for human consumption shipments must be accompanied with a USDA/AMS Disease Free Certification Statement for Panama and a USDA/AMS Fresh Shelled Eggs Grading Certificate for Consumption (AMS Form PY-210S).

**Import Requirements for Processed Foods Intended for Human Consumption, Direct Use, Transformation or Further Processing:**

According to Resolution AUPSA-DINAN-002-2012 of January 16, 2012, importers must inform APA electronically, through the Import Notification Form, a minimum of 48 hours prior to the arrival of products to the point of entry, and no more than 60 days prior to the arrival.

Upon arrival of a shipment to the point of entry into the country, the departure should be supported with the following documentation:

- a) Import notification form.

- b) Certificate issued by the official authority of the country of origin, according to the type of food. For processed foods, which are packaged with a trademark, a copy of the Certificate of Free Sale and/or Safety or equivalent must be submitted, stating that the food is fit for human consumption. For foods of plant origin, with a degree of processing (malting, roasting, drying oven, milled, parboiled, others) which do not require any form of phytosanitary control, including raw materials, a Health Certificate, a Free Sale Certificate, or equivalent should be presented.
- c) Product`s certificate of origin
- d) Copy of the product`s commercial invoice
- e) Pre-customs or customs declaration

**Import requirement for seafood imports, including fish meal for human consumption:**

In accordance with the new sanitary import requirements published on [Resolution AUPSA-DINAN-009-2018](#) of April 13, 2018, all seafood imports, including fish meal for human consumption, can only be imported into Panama if they come from eligible countries, regions, zones, or facilities recognized by the GOP. This new import requirement is applicable for all countries.

The certifying authority of the exporting country must certify that the products comply with the analysis control laboratory tests for maximum limits of chemical residues established for seafood and aquaculture for human consumption, as set at [MINSA`s Resolution No. 368 of May 15, 2009](#).

In addition, the certifying authority of the exporting country must certify that the products comply with the analysis control laboratory tests for maximum limits of microbiological residues established for seafood and aquaculture for human consumption, as set at [MINSA`s Resolution No. 765 of July 27, 2010](#).

Laboratory diagnosis will not be required in the case of heat-sterilized, hermetically sealed, cooked, or pasteurized products subjected to heat treatment (or products subjected to an equivalent time/temperature combination that has been shown to inactivate the viruses).

**Plant-based Meat and/or Dairy Alternatives:**

Panama has no special law or legislation impacting the imports of plant-based meats and/or dairy alternatives, except those described in sections II and III of this report. Exports to Panama of these type of products from the United States has grown in recent years and can be found in most of the supermarkets and convenience food retail stores.

### **Import requirement for roasted Coffee and Coffee products:**

Panama requires that imports of roasted coffee and coffee products to use a new Import Licensing for Coffee Products, issued by Panama’s Cabinet Council through the [Cabinet Decree No. 5 of March 30, 2021](#), establishing temporary measures to control the Imports and commercialization of Roasted Coffee, by which a Non-Automatic License must be issued by the Office of Agricultural Trade Policy of the Ministry of Agricultural Development (MIDA).

Also, MIDA issued the [Resolution No. OAL-059-ADM-2021 of April 8, 2021](#), to establish the procedures and the requirement to obtain the aforementioned Non-Automatic License to import and commercialized roasted coffee.

The United States – Panama [TPA’s Rules of Origin](#) specify that the coffee has to be grown and harvested in the United States to qualify as U.S. origin for TPA’s tariff benefits.

### **Food products subject to Price Controls Regulations at retail:**

Executive Decree [No. 102 of December 30, 2021](#), establishes the food products under Price Control, with description, prices in supermarkets, routes and maximum sale prices and gross marketing margin. Most of them are applicable to domestic products only. However, the price controls apply for locally processed food products that uses U.S. raw materials such as: milk powder, white bread loaf, “American type” cheese and sausages. It is important to note that price controls were established in July 1, 2014, as an “emergency measure” and have been extended every 6 months since then.

Products and description	Maximum price Retail sales per kilogram	Maximum price Retail sales per Pound	Gross margin on retail marketing cost
T- Bone Steak	\$5.62	\$2.55	
Ground Beef (excludes the special, Kosher, and low fat)	\$4.74	\$2.15	
Whole Chicken of Panama (with legs and head)	\$2.60	\$1.18	
Milled Rice Premier quality (for all presentation)	\$0.88	\$0.40	

Milk Powder (whole, instant, in any container with 345-400 grams) Excluded Dairy products, Growth milk and/or Infant Formulas)	\$3.76		15%
White Bread Loaf in package of 14-18 ounces (Excludes: with whole grain, oats, rye, multigrain, egg, milk, butter, raisins, or light)	\$0.92		15%
Pasteurized Process "American" Cheese (for all varieties of curds) Excludes: light, with pepper, with bacon and others)	N.A.	N.A.	N.A.
- Containing less than 65% of curd (sales price by weight of block)	\$6.61	\$3.00	N.A.
- Containing less than 65% of curd (price for single slice)	\$0.10		N.A.
Sausages containing beef (Includes those sold loose or in 1-pound package and excludes the following types: Frankfurter, light, jumbo, kosher, with cheese, Angus, gluten free and/or low sodium)	\$2.62	\$1.19	N.A.
N.A. = non-applicable			

### Section VIII. Trademarks, Brand Names and Intellectual Property Rights

On April 23, 2013, the Ministry of Commerce and Industry of Panama through the General Directorate of Industrial Property Registration, registered at the Bulletin No. 297 of 2013 a total of 112 Geographical Indications (GIs), Designations of Origin (DO) and Indications of Origin from the European Union, including but not limited to dairy products, such as "Provolone Valpadana", "Fontina", "Gorgonzola" and "Parmigiano Reggiano", among other products.

The Panamanian [Copyright Law](#) (Law 64 of October 10, 2012) 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 new WIPO treaties, to raise penalties for infractions and to enhance border measures.

The [Industrial Property Law](#) (Law 61 of October 5, 2012) 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.

This Industrial Property Law of 2012 establishes on the Panamanian Legal system the protection of Geographical Indications, Designations of Origin, and Indications of Origin. However, IPR implementing regulations or applications, and protection of Regulation of use are pending, specifically regarding compound terms that include generic terms and specific geographic indications, because the GOP is still undergoing internal consultations.

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 is obligated to ratify or accede to the Patent Cooperation Treaty, the Convention Relating to the Distribution of Program-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 October 31, 2012, when the TPA entered into force. Panama joined the International Convention for the Protection of New Varieties of Plants on November 22, 2012; and the Trademark Law Treaty, which entered into force on September 7, 2012.

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.

All the copyrights and/or Trademarks must be registered at the [General Directorate for Industrial Property Registration](#) of the Ministry of Commerce and Industry of Panama. A Panamanian Attorney must submit the registration documents, with a Power of Attorney of the applicant.

### **Section IX. Import Procedures:**

Panama's food and feed trade moves through Balboa Port and PSA Panama International Terminal (Rodman) on the Pacific side; and the Atlantic ports of Manzanillo International Terminal, Cristobal, Colon Container Terminal, *Desarrollo Posicional* (Grains terminal) and Colon Port Terminal (these five ports are located at Colon city) which are managed by transnational companies. The Tocumen International Airport handles the bulk of Panama's air cargo.

With AUPSA's [Resolution No. 031-AG-2015](#) and No. [032-AG-2015 of May 25, 2015](#) establishing requirements for the registration of importers into their database and the minimum time to make Prior Notification for Imports (60 days), an importer or user can be registered at APA's Imports Notifications System (known as SIT) only if the entity has an Operations Certificate and has a storage or warehouse facility for the imported products.

### **Food Products and Animal Feed**

Panamanian regulations allow companies and individuals to import directly with no intervention from agents or distributors. However, it is preferable to work with a customs agent (broker) or an "imports expediter" that has experience in importing food products.

**Step 1:** All processed food products for retail, bottled or packaged in some form with given name and brand, must be registered at the Panamanian Food Agency (APA), prior to importation, as explained in section VI paragraph b of this report.

**Step 2:** All importers must submit to APA an Import Prior Notification form at least 48 hours ahead of when the shipment will arrive to Panama. SIT is the online system of APA where importers can upload the requested information. In order to upload the information, the importer must submit to APA the necessary documentation to prove they are legally established.

**Step 3:** At the Port of Entry in Panama, the importer shall present these documents, which are going to be checked for compliance:

1. Copy of Import Notification form, submitted on Internet at [APA's website](#). The notification must be submitted, a minimum of 48 hours prior to the arrival of the product at a 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

**Step 4:** GOP inspectors conduct inspection, testing and sampling on imported food products, mainly in fresh or refrigerated food products, looking for contaminants, for example: live regulated pests, E. coli, Salmonella, heavy metals, and Listeria. See section VI paragraph on Other Certification and Testing Requirements, of this report for more details.

**Step 5:** If the shipment is cleared, it is released to be imported. If is not cleared, due to findings of any contaminants, APA will notify the importer about which mitigation measure will be applied or if the shipment must be rejected for importation into Panama.

### **Non-Food Animal and Plant Products**

The Agricultural Quarantine Directorate of MIDA 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 out a form requesting a Phytosanitary License. Procedures must be done in person and in Spanish. Information may be accessed at: [www.mida.gob.pa](http://www.mida.gob.pa) (go to: *Cuarentena Agropecuaria*, then go to: *Solicitud de Importacion*). Or contact the Executive Director of Agricultural Quarantine (contact data below on Appendix I of this report).

*<sup>[1]</sup> AUPSA (now APA) has been accepting during the last 5 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.

<sup>[2]</sup> 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.

<sup>[3]</sup> 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 originated in the United States (for example attesting “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 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 of the U.S. – Panama Trade Promotion Agreement, which is enforced since October 31, 2012.

## **Section X. Trade Facilitation**

Panama ratified the [WTO’s Trade Facilitation Agreement \(TFA\)](#) on November 17, 2015. Panama is currently at 76.5 percent rate of implementation of the TFA. Publication and availability of information: information related to import procedures and enquiry points are widely available online. The enquiry point for the TFA in the Panama is the National Customs Authority. The country has made important progress in the following provisions of the agreement:

### **Advance Rulings**

The customs duties that must be paid upon import of a product depend on the tariff classification applicable to the product. Through Panama’s [Customs Authority Resolution No. 466 of December 12, 2014](#), the advance rulings process was regulated to ensure legal certainty for business operators when calculating import duties. All advance rulings are processed through the Directorate of Technical Management of the National Customs Authority. Detailed information on the Advance Rulings forms and decisions can be found at the [National Customs Authority website](#).

### **Pre-Clearance Program**

Panama's National Customs Authority established through [Resolution No. 115 of March 20, 2020](#) the temporary procedure for shipping, reception, and documentary verification prior to the entry of merchandise into the customs territory. This resolution was also motivated by the biosafety measures

applied to reduce the risk of exposure for COVID-19 coronavirus.

The National Customs Authority in application of the [Central American Uniform Customs Code \(CAUCA\)](#) establishes the procedure for the transfer of non-nationalized merchandise under the Terrestrial Transshipment and Internal Transit regimes with the use of "Virtual Seals", as a contingency measure temporarily to prevent the risk of shortages during the COVID-19 pandemic.

Panama does not provide any legal basis for pre-clearance programs similar to the preclearance inspections conducted in foreign countries by APHIS personnel and funded by the exporters.

### **Electronic Certificates**

Panama's National Customs Authority and the Vice Ministry for Foreign Trade established the [e-Certificate of Origin](#) for all Panamanian Exporting companies, starting on December 28, 2020 at the Single Window for Exports (VUCE). Panama is receiving U.S. e-Phytos sent via the Hub created by the International Plant Protection Convention (IPPC) for plant and grain products. For other food products, electronic certificates are not accepted, only originals certificates.

### **Import Control Fees**

Panama's National Customs Authority has mandatory fees, which are [charged to authorized operators](#). Trade facilitation measures have also been authorized for [Customs Brokers](#) and international operators called [Economic Authorized Operators](#) (OEA in Spanish).

Customs implemented the [Interactive web-based tool for Import Duties](#)

### **Average Release Time for Products – Common Delays**

Panama, through [Resolution No. 114 of March 19, 2020 of the National Customs Authority](#), established the submission of all documents electronically. Incomplete or incorrect certifications accompanying the shipments generally leads to goods clearance delays at the ports of entry.

Release and clearance of goods: pre-arrival processing, electronic payment and separation of release from final determination of customs duties, taxes, fees, and charges is available through the Custom's Authority [Integrated Customs Management System \(SIGA in Spanish\)](#). One of the most important advances under this provision has been the establishment of dispatch extended hours.

## **Duplicative Inspections and Processes**

Once goods have passed inspection and customs duties are paid, they can move freely throughout. However, official controls remain possible at any stage of distribution, through APA, MIDA's Quarantine, Customs, MINSA and ACODECO.

### **Appendix I. Government Regulatory Agency Contacts:**

Panamanian Food Agency (APA)

Director of APA

Ricardo J. Alfaro Avenue, Sun Towers Mall, 2<sup>nd</sup> Floor. Office No. 70

Panama City, Republic of Panama.

Telephones: (507) 522-0000; or 522-0042

Fax: (507) 522-0014

Website: <https://apa.gob.pa>

Ministry of Agricultural Development (MIDA)

Executive Directorate of Agricultural Quarantine

Curundu Heights, Manuel E. Melo Street, Building 577, ground floor

Panama City, Republic of Panama.

Telephone: (507) 232-5340

Fax: (507) 507-0877

Website: [www.mida.gob.pa](http://www.mida.gob.pa)

Ministry of Health (MINSA)

National Directorate for Food Control and Veterinary Surveillance (DNCAVV)

Ancon, Culebra Street, Building 253, ground floor.

Panama City, Republic of Panama.

Telephone: (507) 512-9180

Fax: (507) 512-9114

Website: [www.minsa.gob.pa](http://www.minsa.gob.pa)

National Authority of Customs (ANA)

Curundu, Dulcidio Gonzalez Avenue, building 1009

Panama City, Republic of Panama.

Telephone: (507) 506-7484

Fax: (507) 506-6240

Website: [www.ana.gob.pa](http://www.ana.gob.pa)

Ministry of Commerce and Industry (MICI)  
General Directorate for Industrial Property Registration  
Ricardo J. Alfaro Avenue, Plaza Edison, 2<sup>nd</sup> floor.  
Panama City, Republic of Panama.  
Telephones: (507) 560-0705 or 560-0700 extension 2105  
Website: <https://www.mici.gob.pa/direccion-general-del-registro-de-la-propiedad-industrial/servicios-direccion-general-del-registro-de-la-propiedad-industrial>

Technical Regulations Department and Codex Alimentarius Focal Point  
Ricardo J. Alfaro Avenue, Plaza Edison, 3<sup>rd</sup> floor.  
Panama City, Republic of Panama.  
Telephones: (507) 560-0600 extension 2389, or 560-0716  
Website: [www.mici.gob.pa](http://www.mici.gob.pa)

## **Appendix II. Other Import Specialist Contacts:**

Association of Traders and Distributors of Food and similar of Panama (ACOVIPA)  
Ricardo J. Alfaro Avenue, Century Tower Plaza  
Panama City, Republic of Panama  
Telephone: (507) 236-2459  
Website: <http://afiliateaacovipa.blogspot.com/>

Industrial Union of Panama (Sindicato de Industriales de Panama)  
Ricardo J. Alfaro Avenue, Building "Ricardo Galindo Quelquejeu"  
Panama City, Republic of Panama  
Telephone: (507) 230-0169  
Website: [www.industriales.org](http://www.industriales.org)

Panamanian Chamber of Commerce, Industry and Agriculture  
Avenida Cuba y Ecuador, Street 33-A  
Panama City, Republic of Panama  
Telephone: (507) 207-3400  
Website: <https://www.panacamara.com/>

## **Attachments:**

No Attachments