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Export Certificate Report

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Report Highlights:

The U.S-Panama Trade Promotion Agreement (TPA) entered into force on October 31, 2012. As outlined in the TPA, Panama issued special regulations that apply to imports of food and feed products from the United States. Due to certain sanitary and phytosanitary measures, and technical standards affecting trade in agricultural products, Panama recognizes the certificates and standards of the U.S. regulatory and sanitary inspection system. Panama is accepting the new sanitary and free sale certificates issued by NOAA, FDA and Enterprise Florida, Inc. for food products exported to Panama, respectively.

TABLE OF CONTENTS:	Page:
Disclaimer	2
Executive Summary	2
Section I. List of All Export Certificates Required By Government (Matrix)	2
Section II. Purpose of Specific Export Certificate(s)	6
Section III. Specific Attestations Required on Export Certificate(s)	6
Section IV. Government Certificate’s Legal Entry Requirements	8
Section V. Other Certification/Accreditation Requirements to ensure market entry	9
APPENDIX I. Electronic Copy of the above export certificates	11

Disclaimer

This report was prepared by the OAA in Panama City, 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, of December 20, 2006, established 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 from the United States, 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.

Section I. List of All Export Certificates Required By Government (Matrix)

The U.S-Panama Trade Promotion Agreement (TPA) entered into force on October 31, 2012. As outlined in the TPA, Panama issued special regulations that apply to imports of food and feed products from the United States.

Due to certain sanitary and phytosanitary measures, and technical standards affecting trade in agricultural products, Panama recognizes the certificates and standards of the U.S. regulatory and sanitary inspection system.

A copy of the *United States – Panama Agreement regarding certain sanitary and phytosanitary measures and technical standards affecting trade in agricultural products*, can be downloaded from the website of the Office of the United States Trade Representative (USTR) in the following hyperlinks:

[December 2006 SPS Letter Exchange](#)

[Feb/Mar 2013 SPS Letter Exchange](#)

[June 2014 SPS Letter Exchange](#)

The certificates required by the Government of Panama, Panamanian Food Safety Authority (known as AUPSA in Spanish) that must accompany the shipments from the United States are:

Products	Title of Certificate	Attestation Required on Certificate	Purpose	Requesting Authority
Meats and poultry	FSIS Export Certificate of Wholesomeness (FSIS form 9060-5)	Certifies that exported meats or poultry products come from approved establishments by USDA/FSIS, meet veterinary sanitary requirements and are fit for human consumption.	Food Safety	AUPSA
Egg products	FSIS Egg Product Export Certificate of Wholesomeness (FSIS Form 9060-5EP)	Certifies that exported egg products come from approved establishments by USDA/FSIS, meet veterinary sanitary requirements and are fit for human consumption.	Food Safety	AUPSA
Fresh vegetables and fresh fruits, grains in bulk loads or in bags	APHIS Phytosanitary Certificate (PPQ Form 577)	Certifies that exported vegetables, fruits or grains are inspected by USDA/APHIS/PPQ inspectors, meet phytosanitary import requirements and are free of quarantine pests, it varies by product.	Phytosanitary	AUPSA
Seafood and fishery products	NOAA's Export Health Certificate for fishery products	Certifies that exported seafood or fishery products come from approved establishments by NOAA, meet veterinary sanitary requirements and are fit for human consumption.	Food Safety and Animal Health	AUPSA

Dairy products	<p>Certificate of Free Sale of the product, or any other certificate issued by any U.S. federal or state or local authority, such as a Sanitary Certificate issued by your state authority (Agriculture or Health); or</p> <p>USDA/AMS Sanitary Certificate for Exports; or,</p> <p>USDA/APHIS Export Certificate for Animal Products (VS Form 16-4)</p>	<p>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), in 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</p> <p>Also, for dairy products the USDA/AMS Sanitary Certificate for Exports or, the USDA/APHIS Export Certificate for Animal Products (VS Form 16-4) can be used.</p>	Food Safety	AUPSA
Fresh shell eggs for human consumption	<p>USDA/AMS Disease Free Certification Statements for Panama; and</p> <p>USDA/AMS Fresh Shell eggs Grading Certificate for consumption (AMS Form PY-210S).</p>	<p>USDA/AMS has specific Disease Free Certification Statements for Panama for avian influenza and New Castle disease; the AMS grading certificate will state the grading, volume, and physical characteristics of the fresh shell eggs.</p>	Food Safety, Animal Health and Quality requirements.	AUPSA

<p>All processed food products for retail, bottled or packaged in some form with given name and brand</p>	<p>A Certificate of Free Sale of the product; or Any other certificate issued by any U.S. federal or state or local authority, such as a Sanitary Certificate issued by your State authority (Agriculture or Health); or A Supplier or Manufacturer's Declaration. In the case of the State of Florida, the Certificate of Free Sale is issued by Enterprise Florida, Inc. The FDA's Certificates for Exportability and Certificates to a Foreign Government for food for human consumption, can be used to accompany shipments of U.S. food exports to Panama.</p>	<p>Certifies that the exported product is fit for human consumption and complies with the Sanitary regulations in your State; the Supplier or Manufacturer declaration must be on company letterhead, stating that the product is fit for human consumption.</p>	<p>Food Safety</p>	<p>AUPSA</p>
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Pet Food	USDA/APHIS Export Certificate for Animal Products (VS Form 16-4)	<p>Additional certification statements on USDA APHIS export certificates that accompany U.S. shipments of pet food containing animal origin ingredients to Panama are:</p> <ol style="list-style-type: none"> 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. 	Animal Health	AUPSA
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Section II. Purpose of Specific Export Certificate(s)

The purposes of the above certificates are intended for food safety, animal health and phytosanitary requirements, depending on the type of product. The Panamanian Food Safety Authority (known as AUPSA in Spanish) is the competent authority to require all the above certificates for food and feed imports into Panama.

Section III. Specific Attestations Required on Export Certificate(s)

AUPSA requires an additional declaration under the Phytosanitary Export Certificate (issued by the Animal and Plant Health Inspection Service (APHIS) for specific pests depending on the vegetable or grain product that is going to be exported to Panama; or a sprout inhibitor application on shipments of U.S. table stock potatoes. In order to meet this requirement for table stock potatoes, APHIS recommends 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.

Potatoes must be free of the following pests: *Ditylenchus destructor*, *Ditylenchus dispac*, *Phthorimaea operculella*, *Pratylenchus penetrans* and *Tylenchorhynchus claytoni*. In addition, potatoes must be produced in a free area of potato purple top or apply anti sprout fumigation, except for the State of Washington.

Onions must be free of the pest *Ditylenchus dispac* and must be stated in the Additional Declarations line of the APHIS/PPQ Phytosanitary Export Certificate.

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 biological, chemical and physical contaminants, including soils.
3. The phytosanitary export or re-export certificate must include an additional declaration certifying that the rice is free of *Trogoderma granarium*.

In accordance with the new sanitary import requirements published on AUPSA's [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 AUPSA. This new import requirement is applicable for all the 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 analysis will not be required in the case of heat-sterilized, hermetically sealed, cooked, pasteurized products subjected to heat treatment (or an equivalent time / temperature combination that has been shown to inactivate the viruses).

Section IV. Government Certificate's Legal Entry Requirements

AUPSA is the Government of Panama agency created to oversee all aspects of food importation. In compliance with the bilateral SPS agreement, they receive requests for food and feed products sanitary registration and provide answers within 24 hours up to 21 days. This procedure can be made online and is free of charge. The submission of documentation as indicated in this section may be done through AUPSA's website: www.aupsa.gob.pa , which is user friendly but only available in Spanish.

Panama has been undertaking efforts to eliminate and replace the Food Safety Authority (AUPSA). The new Panamanian Government Administration on October 28, 2019 approved a draft bill to eliminate AUPSA. In January 2020, the National Assembly of Deputies started to consider it at the Commission of Agricultural Affairs. Discussion of AUPSA replacement bills continues in the National Assembly. If approved, this would fulfill President Laurentino Cortizo's campaign promise to close AUPSA. It would return to the Ministry of Agricultural Development and Ministry of Health; and a new agency called Panamanian Food Agency (APA) will coordinate among the two ministries. Therefore, the import processes and sanitary registration process will likely change in 2021.

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 registered before import, sale or trade. i.e. alcohol beverages, snacks, canned food, among others.

Excluded from the above are raw materials such as fresh meats (which are not packed and ready for retail, used for food service or food processing), fresh vegetables and fresh fruits, 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 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 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), in which certifies that the product is fit for human consumption and complies with the Sanitary regulations in your State. This Certificate of Free Sale can be used for multiple shipments of the same products.

b. A **Supplier or Manufacturer's Declaration**, on company letterhead, stating that the product is fit for human consumption.

In addition, to enable AUPSA to corroborate the above information, it is necessary to send the legible scanned copy of the label and bar code.

The originals of such documents shall be presented at the AUPSA's Registry office, within a period of time of 30 working days. Also, AUPSA will accept electronic documents in a printable .pdf format, including the FDA's *Certificates for Exportability and Certificates to a Foreign Government for food for human consumption*, which can be verified online.

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

Section V. Other Certification/Accreditation Requirements to ensure market entry

To import any agricultural food or feed into Panama, an importer must present upon arrival of the shipment at the Point of Entry into the country, the following documentation:

- a) Import notification form, made online at <http://www.aupsa.gob.pa/notificaciones/> (this prior notification has to be made 48 hours prior to the arrival of the shipment at the Port of Entry).
- b) Certificate issued by the official authority of the United States, according to the type of food, as listed in Section I of this report.
- c) Product's Certificate of Origin
- d) Copy of the product's Commercial Invoice
- e) Pre-customs or customs declaration.

As stated above in Section IV, Panama has an online Sanitary Registration process for statistical purposes in AUPSA, for all processed food products for retail, bottled or packaged in some form with given name and brand.

All U.S. exporting or manufacturer facilities seeking to export food or feed to Panama shall ensure compliance specifically with the Technical Regulations for the following products:

- 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
- Onions
- Table salt
- Additives
- Colors
- Fish, frozen
- Fishmeal
- Beef and products
- Poultry and products
- Eggs and egg products

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

All U.S. federally inspected establishments for meats and poultry are eligible to export to Panama. The list of these can be found at: <http://www.fsis.usda.gov/wps/portal/fsis/topics/inspection/mpi-directory/>. Panama does not have plant by plant approval requirements for the United States in accordance with [article 8 of the United States – Panama Agreement regarding certain sanitary and phytosanitary measures and technical standards affecting trade in agricultural products, of December 20, 2006](#).

APPENDIX I. Electronic Copy of the above export certificates

- Attachments of the certificates listed in section I.

Attachments: [APHIS PPQ Form 577.pdf](#)

[APHIS VS Form 16-4 sample.pdf](#)

[BOLETIN 297 2013-ABRIL DO-IG.pdf](#)

[Certificate of Free Sale sample.pdf](#)

[Enterprise Florida Inc Certificate of Free Sale Example.pdf](#)

[Example of AUPSA Prior Notification of Import Form.docx](#)

[FDA Certificate of Exportability food for human consumption Sample.pdf](#)

[FDA Certificate to a Foreign Government food for human consumption Sample.pdf](#)

[Fresh Shell Eggs Certificates samples.pdf](#)

[FSIS Form 9060-5 S sample and guidelines.pdf](#)

[FSIS Form 9060-5 sample and guidelines.pdf](#)

[FSIS Form 9060-5EP-instructions and sample.pdf](#)

[NOAA Export Health Certificate.pdf](#)