

## **Panama**

### **Standards Overview**

As a WTO member, Panama implemented the WTO's Agreement on Technical Barriers to Trade (TBT) that includes the Code of Good Practice for the Preparation, Adoption and Application of Standards. The government of Panama (GOP) passed Law 23 of July 15, 1997, which established new dispositions on product standards, labeling and certification policy, and redefined the functions of the Directorate General of Standards and Industrial Technology (DGNTI) and the Panamanian Commission for Industrial and Technical Standards (COPANIT). Basically, DGNTI was given the main role in establishing standards and technical regulations, while COPANIT was given an advisory role to DGNTI. The National Council for Accreditation (CNA) was charged with all national accreditations.

Panama has an open economy and there are no significant market access problems related to standards and technical regulations. Certain market access problems have occurred in the past with several agricultural products, but they have been mostly related to phytosanitary issues.

According to WTO guidelines, Panama informs WTO of any standards or technical regulations activities. U.S. companies can participate in the standards development process by contacting DGNTI and submitting specific requests or suggestions. There are no limitations to participation by foreign countries.

Products for which Panama has not set standards/regulations can enter the Panamanian market provided that they comply with standards and technical regulations from the U.S., Europe or any other industrialized country.

### **Standards Organizations**

The Directorate General of Standards and Industrial Technology (DGNTI) establishes technical regulations and standards in Panama. Because of budget and other limitations, this organization has been mostly dedicated to establishing standards for food products upon specific requests by industrial organizations and according to WTO guidelines. DGNTI establishes a semiannual working plan showing all activities it will undertake for the following six months. DGNTI performs its functions through its three departments: Standards, Certifications and the Information Center.

### **U.S. Government's "Notify U.S." Service**

Member countries of the World Trade Organization (WTO) are required under the Agreement on Technical Barriers to Trade (TBT Agreement) to report to the WTO all proposed technical regulations that could affect trade with other Member countries. Notify U.S. is a free, web-based e-mail subscription service that offers an opportunity to review and comment on proposed foreign technical regulations that can affect your access to international markets. Register online at <http://www.nist.gov/notifyus/>.

### **Conformity Assessment**

While DGNTI leads in conducting conformity assessments, it is joined by a number of other public and private organizations. These organizations include the Central Laboratory of Health from the Ministry of Health (MINSA), the University of Panama, the Technological University of Panama, the National Secretariat of Science and Technology (SENACYT), the Ministry of Agricultural Development (MIDA), the Consumer Protection Authority and Defense of Competition, and the Agricultural Marketing

Institute (IMA). Panama does not have any Mutual Recognition Agreement (MRA) with U.S. organizations.

### **Product Certification**

Once the conformity assessments have been conducted, the DGNTI will issue a conformity assessment certificate. DGNTI is the only organization authorized to issue conformity assessments related to products. Other private organizations such as SGS and Bureau Veritas deal with conformity assessments on system or procedures and can issue certificates, but only related to systems.

### **Accreditation**

The National Council for Accreditation (CNA) created by Law 23, July 15, 1997, is the government authority in charge of all national accreditations. This Council is formed by a number of government organizations including the Ministries of Commerce, Health and Agricultural Development, and the National Secretariat of Science and Technology (SENACYT). The CNA works through a technical secretariat, which is the technical body of the Council. Accreditation is largely voluntary.

The technical secretariat appoints accreditation committees, which are groups formed by specialists from the public and private sectors. These committees provide basic input for CNA decisions. Accreditation is obligatory for organizations that deal with fuel laboratories and environmental testing laboratories. All other accreditations are voluntary. Accreditation can be granted in three categories: Laboratories (calibration and testing), inspection organizations, and certifying organizations. As of December 2010 there were fifteen organizations that had been accredited by CNA, but there were several accreditation applications under review.

### **Publication of Technical Regulations**

All final technical norms and regulations are published by the Ministry of Commerce and Industry in the Official Gazette or "Gaceta Oficial."

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

Official Gazette or Gaceta Oficial: <http://www.gacetaoficial.gob.pa/>

Panama, Rep. of Panama

Tel. (507) 527-9393

Fax. (507) 527-9391

The WTO TBT Inquiry Point and National Information Center is:

Comision Panameña de Normas Industriales y Tecnicas (COPANIT)

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E-mail: [dgnti@mici.gob.pa](mailto:dgnti@mici.gob.pa)

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### **Trade Agreements**

Panama has full FTAs in force with (including date of entry into force): El Salvador (2003), Taiwan (2004), Singapore (2006), Chile (2008), Costa Rica (2009), Honduras (2009), Guatemala (2009), Nicaragua (2010), and Peru (2012). Panama has partial FTAs with Mexico (1985), Dominican Republic (1987), and Cuba (2009). It has completed negotiations on two more agreements: Canada (signed in 2010 and passed by the Panamanian National Assembly in 2010) and the European Union (signed in 2010).

On June 28, 2007, the United States and Panama signed the United States-Panama Trade Promotion Agreement (TPA). Panama approved the TPA on July 11, 2007. The US Congress approved implementing legislation on October 12, 2011, and President Obama signed it on October 21, 2011. Presidents Obama and Martinelli have agreed to implement the TPA as quickly as possible, but no date has been set for it to enter into force. When the TPA enters into force, it will result in significant liberalization of trade in goods and services, including financial services. The TPA also includes important disciplines relating to customs administration and trade facilitation, technical barriers to trade, government procurement, investment, telecommunications, electronic commerce, intellectual property rights, and labor and environmental protection. Under the TPA, U.S. firms will have better access to Panama's services sector than Panama provides to other WTO Members under the General Agreement on Trade in Services. All services sectors are covered under the TPA except where Panama has made specific exceptions. Moreover, Panama agreed to become a full participant in the WTO Information Technology Agreement. Panama has also entered into a bilateral agreement with the United States that resolved a number of regulatory barriers to trade in agricultural goods ranging from meat and poultry to processed products, including dairy and rice.

Panama is a beneficiary of the Caribbean Basin Economic Recovery Act, better known as the Caribbean Basin Initiative (CBI), which provides for one-way free trade access for specific Panamanian exports to the U.S.

Panama has bilateral investment agreements with the United States, the United Kingdom, France, Switzerland, Germany, Taiwan, Canada, Argentina, Spain, Chile, Uruguay, the Czech Republic, Netherlands, Cuba, Mexico, Dominican Republic, Korea Ukraine, Sweden, Qatar, Finland, and Italy. The U.S.-Panama Bilateral Investment Treaty (BIT) entered into force in 1991 (with additional amendments in 2001 to reflect Panama's joining the International Center for the Settlement of Investment Disputes (ICSID). Once in force, the investor protection provisions in the TPA will supplant those in the BIT. Nevertheless, the TPA preserves for ten years the option for investors to invoke dispute settlement under the BIT with respect to investments covered by the Treaty as of the date of entry into force of the TPA, in the case of disputes that arose prior to the date of entry into force of the TPA, and for disputes arising on or after the date of entry into force of the TPA out of an investment agreement that was in effect before the date of entry into force of the TPA.

## **Contacts**

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