

Republic of Panama

CABINET COUNCIL

CABINET DECREE NO. 4
From January 10, 2024

Adopting control measures for the importation and marketing of pork products

THE CABINET COUNCIL
in the exercise of its legal and constitutional powers,

WHEREAS:

The National Government is aware of its obligation to guarantee the development of the State's international trade relations within a framework of certainty and predictability following the provisions of the International Treaties signed by the Republic of Panama;

The National Government has the duty and objective to adopt the required measures to guarantee the protection of the essential interests for maintaining harmonious international trade relations with a positive and direct impact on free and balanced trade flows;

Article 25 of Law 28 of 1995, modified by Law 26 of 2001, states that the import of agricultural, industrial or other inputs or raw materials, which the Executive Branch deems to be sensitive to the national economy, shall be managed under a licensing and tariff quota regime;

Following the provisions of the regulations above, pork and pork products have been classified as sensitive products for the national economy, as they are included in Schedule CXLI, Section I-B, Tariff Quotas, of the Panama's Protocol of Accession to the World Trade Organization, adopted by Law 23 of 1997;

In the marketing of imported pork products, certain conducts were found to affect compliance with provisions concerning the customs regime, quality control and public health protection, thus requiring the implementation of measures to ensure compliance with such internal rules and regulations regarding a sensitive product of the domestic agricultural sector used in the food production industry;

Article XI(2)(b) of the General Agreement on Tariffs and Trade, known by its acronym GATT 1994, contained in Law 23 of 1997, allows the establishment of prohibitions or restrictions on the importation of goods when they are necessary for the application of rules or regulations on the classification, quality control and marketing of products intended for international trade;

Article XX, General Exceptions, of the GATT 1994 Agreement, provides that no provision shall be interpreted as preventing a State Party from adopting or applying the measures stipulated in said regulations, including those necessary to protect human, animal or plant life or health;

The National Government has an interest in promoting the commercialisation of agricultural products through the appropriate channels and in compliance with national legislation;

Article 200, section 7 of the Political Constitution of the Republic provides that the Cabinet Council is responsible for setting and modifying tariffs, rates and other provisions concerning the customs regime, subject to the rules established in the Laws referred to in Section 11 of Article 159 of the constitutional framework,

DECREES:

Article 1. Adoption of control measures for the importation and marketing of pork products, native and from any origin, included in the following tariff items:

Code	Description
0203.11.00.00.00	In carcasses or half-carcasses
0203.12.00.00.00	Legs, shoulders, and pieces, boned
0203.19.00.00.00	Others
0203.21.00.00.00	In carcasses or half-carcasses
0203.22.00.00.00	Legs, shoulders, and pieces, deboned
0203.29.00.00.00	Others
0210.11.19.00.00	Others
0210.11.90.00.00	Others
0210.19.10.00.00	Pork ribs
0210.19.29.00.00	Others
0210.19.90.00.00	Others
1602.41.11.00.00	Airtight or vacuum sealing
1602.42.10.00.00	Airtight or vacuum sealing
1602.42.90.00.00	Others
1602.49.19.00.00	Others

Article 2. As provided in the preceding article, a total import volume of 8,791 metric tons annually is established for the year 2024, with an annual growth of six per cent (6%) in the following years, which includes the total volume of the yearly tariff quotas made available under the various international trade agreements in force; respecting the international commitments that the Republic of Panama maintains for this sector and the market access level.

Article 3. The difference between the annual quotas under trade agreements and the total import volume established for each year shall be made available to interested parties through the import licence procedure issued by the Trade Policy Unit of the Ministry of Agricultural Development, as provided for in Title III of Law 23 of 1997, at the beginning of each calendar year.

Article 4. The Trade Policy Unit of the Ministry of Agricultural Development, responsible for administering and issuing import licences for goods covered by these measures, shall publish the procedure and requirements for submitting licence applications.

Article 5. Import licences under preferential tariff quotas issued by the Technical Secretariat of the Tariff Quota Licensing Commission shall remain valid for the periods established in each.

Article 6. As per Article 200, section 7 of the Political Constitution of the Republic, a certified copy of this Cabinet Decree must be sent to the National Assembly.

Article 7. This Cabinet Decree shall enter into force upon its promulgation.

LEGAL BASIS: Paragraph 7 of Article 200 of the Political Constitution of the Republic; Law 28 of June 20, 1995, Law 23 of July 15, 1997.

REACH OUT AND STICK TO IT.

Given in the city of Panama, on the tenth (10th) day of January, in the year two thousand and twenty-four (2024).

(Signature)
LAURENTINO CORTIZO COHEN
President of the Republic

The Minister of Government, (Signature)
ROGER TEJADA BRYDEN

The Minister of Education, (Signature)
MARUJA GORDAY DE VILLALOBOS

The Minister of Health, (Signature)
LUIS FRANCISCO SUCRE MEJIA

The Minister of Trade and Industry, (Signature)
JORGE RIVERA STAFF

The Minister of Agricultural Development, (Signature)
AUGUSTO VALDERRAMA

The Minister of Economy and Finance, (Signature)
HECTOR E. ALEXANDER H.

The Minister for Canal Affairs, (Signature)
ARISTIDES ROYO

The Minister for Foreign Affairs, (Signature)
JANAINA TEWANEY MENCOMO

The Minister of Public Works, (Signature)
RAFAEL SABONGE VILAR

The Minister of Labour and Workforce Development,

(Signature)
DORIS ZAPATA ACEVEDO

The Minister of Housing and Planning Territorial,

(Signature)
ROGELIO WALLS ROBLES

The Minister of Social Development,

(Signature)
MARÍA INÉS CASTILLO

The Minister of Public Security,

(Signature)
JUAN MANUEL PINO F.

The Minister of the Environment,

(Signature)
MILCIADES CONCEPCIÓN

The Minister of Culture,

(Signature)
GISELLE GONZÁLEZ VILLARRUÉ

The Minister of Women's Affairs,

(Signature)
JUANA HERRERA ARAÚZ

(Signature)
JOSÉ SIMPSON POLO
Minister of the Presidency and
Secretary-General of the Cabinet Council