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REPUBLIC OF PANAMA  
MINISTRY OF HEALTH  
EXECUTIVE ORDER 230

(May 6, 2008)

“Which regulates Law 13 of January 24, 2008, and issues other provisions”

THE PRESIDENT OF THE REPUBLIC,  
in the use of his constitutional and legal powers,

WHEREAS:

It is an essential duty of the Government to oversee the health of the people of the Republic. The individual, as part of the community, is entitled to the promotion, protection, conservation, restoration and rehabilitation of health and the obligation to preserve it, this being understood as complete physical, mental and social wellbeing.

It is the responsibility of the Government to guarantee that the people live in a healthy environment free from contamination in which the air, water and food satisfy the requirements for the proper development of human life.

This Government responsibility requires it to adopt the necessary and sufficient methods to prevent and stop the increase in tobacco use in order to protect people's health through the adoption of measures for its control and supervision with the goal of reducing the rates of sickness, disability and death from pathologies associated with tobacco.

The use of tobacco products is one of the world's most important public health problems. In Panama seven out of the ten primary causes of death are associated with tobacco use and is the cause of many other acute, chronic and deadly illnesses.

Most smokers begin smoking at a very early age when they are unaware of the degree and nature of the harm tobacco products cause, and due to the addictive properties of nicotine, they find it hard to quit smoking, even when they are highly motivated to do so.

It has been shown that the design, advertising, marketing, sponsorship, packaging and supply stimulate the use of tobacco products and increase the prevalence of smokers and their effects on sickness, disability and death.

Law 40 of July 7, 2004, approved the WHO's Framework Convention on Tobacco Control, approved in the fourth plenary session of the World Health Organization on May 21, 2003.

Law 13 of January 24, 2008, in its Article 32 establishes a period of no greater than 3 months following its enactment for the Executive Body to regulate it.

ORDERS

Article 1. The Ministry of Health shall prepare and execute overall national five-year plans of information and education on the control of tobacco use and the exposure to second-hand tobacco smoke. For this purpose the Office of Public Health, the National Office of Health Promotion and the Department of Human Resources

Education and Training of Human Resources Integrated Development shall coordinate with their regional counterparts for the purpose of fulfilling the following duties:

1. Structure the five-year plan based on the following components:
  - a. Health education aimed at informing and educating the general public.
  - b. Permanent and continued education for health personnel at all care and management levels of the public and private health sectors.
  - c. Training of national and regional facilitators.
  - d. Media plan to include massive health educational and communication campaigns on tobacco control and the exposure to second-hand tobacco smoke.
2. Massive mobilization activities to commemorate world and national “No Smoking” days.
3. Include in the plan the problem to be treated, the educational contents and strategies for development, the target population, assessment and impact indicators, suggested facilitators, necessary resources, costs and sources of financing, and any other technical criteria which experts believe are required for the appropriate design, execution and assessment of educational activities.
4. Incorporate as basic topics in the five-year plan: the health consequences, addictive nature of nicotine, national and world-wide situation regarding tobacco use, health consequences from tobacco use and the exposure to second-hand smoke, measures for prevention and control for national application, tobacco and society, and worldwide provisions issued by parties at the Conference of the WHO Framework Convention on Tobacco Control, and any other, which in the light of scientific evidence, may be considered pertinent to guarantee that the public and health personnel are duly informed.
5. Prepare an annual operating plan during the process of budget formulation to guarantee the financial resources required for its execution in each fiscal period. Each executing unit from the Ministry of Health shall include the necessary resources in its budget to fulfill Article 2 of Law 13 of January 24, 2008.

Article 2. Each year the Ministry of Health will perform a study to assess the educational strategies that were carried out so as to make any necessary changes. Every two and one half years the Ministry of Health shall act to measure the benefits the five-year plan has generated to the awareness, attitudes and practices of the target population, such as the general public and health personnel. The results obtained shall be the point of reference for planning new educational and informational strategies and actions, including those for financing.

Article 3. The formulation, execution and assessment of the five-year policies and plans to which Article 2 of this Order refers shall be developed with social participation. The Ministry of Health shall consolidate strategic alliances with the Ministry of Education, the Social Security Administration and non-governmental organizations related to the topic of tobacco control, pursuant to the provisions of Numeral 3 of Article 5 of Law 40 of July 7, 2004.

Article 4. The National Council for Health Without Tobacco, created through Executive Order 63 of February 27, 2003, is the spokesman for social participation on the country’s tobacco control and prevention, through which the Ministry of Health shall guarantee the necessary administrative mechanisms for its permanent functionality.

Article 5. For purposes of this Order, the following definitions are established:

1. Common Areas: Areas of land on which are found constructed building(s); the goods necessary for the existence, safety, health, preservation, appearance and functioning of the building; which allow everyone the use and enjoyment of the facilities.

2. Production: An activity under the control and responsibility of an establishment that uses manpower, capital and goods and services to produce other goods and services.

3. Natural Ventilation: That which occurs when a flow of air is produced from the outside towards an interior structure which causes a natural renewal of the interior air without the participation of mechanical means. The same thing occurs when given one of the following conditions:

a. Natural open air spaces

b. Unwalled, roofed spaces with an architectural design that allows the flow of air and its respective renewal through the upper portion without the use of mechanical means of ventilation.

c. Spaces with at least 3 open sides and roofed at a height that facilitates the natural renewal of air and guarantees its cross-ventilation.

Article 6. Public offices include central government administrative bodies, those of local governments, autonomous and semi-autonomous institutions, diplomatic missions, consulates and/or embassies of the Panamanian Government. These may be located in leased or rented facilities or those which are the property of the Panamanian Government, due to which the use of tobacco and its derivatives are banned in all its interior spaces.

When these offices are located in facilities belonging to the Panamanian Government, non-smoking areas include their parking lots, interior lawns and any other open space within the facility perimeter.

Article 7. In transportation vehicles of government use which are the property of the Government, the use of tobacco and its derivatives is prohibited.

Article 8. The prohibitions established in Article 5 of Law 13 of 2008 regarding enclosed places with public access where people congregate shall be applied to the following establishments, among others:

1. Cinemas, theaters and museums.

2. Restaurants, cafeterias, centers dispensing food and similar

3. Bars, wineries, canteens and similar

4. Brothels and similar

5. Event sites

6. Dance clubs, lawns, canopies and other dance centers

7. Hotels, pensions and temporary places of lodging

8. Casinos, bingo parlors, cockpits and other centers where games of chance are practiced

9. Malls and department stores

10. Supermarkets, shops, kiosks, grocery stores and others
11. Centers for video games, virtual games and similar
12. Internet cafés
13. Beauty shops, hair dressers and similar
14. Massage and aesthetic centers
15. Churches, chapels and other centers of prayer
16. Premises designed for holding such events as concerts, parties and others
17. Shows and other places where cultural or recreational activities are carried out
18. Convention centers and auditoriums

Paragraph: Spaces in those establishments previously listed with natural ventilation are exempt from this ban.

Article 9. The bans established in Article 5 of Law 13 of 2008 regarding open and enclosed public and private environments designed for sporting activities shall be applied to the facilities or playing field where the sporting activities are practiced, whether open air or not, within which are included, among others:

1. Gymnasiums
2. Stadiums
3. Swimming pools
4. Bowling alleys
6. Billiard halls
7. Horseback riding activity
7. Rodeos
8. Tennis, fronton, basketball and volleyball courts
9. Golf courses
11. Football and baseball fields
11. Autodromes
12. Firing ranges
13. Sporting areas at parks

Article 10. The bans established in Article 5 of Law 13 of 2008 regarding common areas in public and private buildings for business and domestic use shall be applied to spaces where residents or visitors circulate, among others the following:

1. Galleries, vestibules, stairways, corridors and entries, exits and thoroughfares;
2. Basements, terraces, garages or general parking areas, patios and lawns;
3. Premises designed for lodging of employees responsible for the property;
4. Central services premises and facilities, such as electricity, light, gas, cold and hot water, air conditioning, wells, water tanks and water pumps, pits and others similar;
5. Elevators, trash incinerators and mailboxes;
6. All existing areas and facilities for the common good, among them recreational and sporting areas, swimming pools, saunas, baths and spaces designed for the security of the facilities.

Article 11. Managers and/or owners of the establishments with spaces having natural ventilation must guarantee the non-contamination of the enclosed work environments by second-hand tobacco smoke. These spaces must not be included in the required path of people seeking service or offering services in the enclosed work areas of these establishments or in any other area where smoking is banned.

Article 12. Property owners, managers or administrators of the public and private environments where smoking is banned, in guarantee of fulfilling the duty of ensuring that the general public and their employees fulfill the Provisions of Article 5 of Law 13 of 2008, on their own behalf and in a period of no greater than 3 months from the enactment of this Order, must:

1. Place signs in visible places with the following message: "SMOKING IS PROHIBITED", Law 13 of January 24, 2008". Complaints to the Ministry of Health hotline.
2. Size of the sign must be at least 8-1/2 by 14 inches and be placed at a height of 1.5 meters off the floor. The signs must be located at all the main and secondary entrances to the establishment as well as in those specific areas where the ban on smoking is established. It is recommended that these signs include the universal no-smoking logo (Appendix A)
3. The warning "SMOKING IS PROHIBITED" must be printed using contrasting colors, black color Arial lettering emphasized by bold No. 90 in closed capital lettering. The legal basis must be printed in black Arial lettering, emphasized by bold print No. 45 in closed capital lettering. The number for the telephone line assigned by the Ministry of Health must be printed in Arial lettering No. 30, emphasized in bold print and contrasting colors.
4. Adopt policies and procedures that employees must follow to hinder the use of tobacco in places where smoking is prohibited. In case an employee should smoke in violation of the law, the manager or person in charge must take corresponding disciplinary measures.
5. Ask anyone smoking in prohibited places to stop said activity due to violating Law 13 of 2008. If this request is refused, require the offender to leave the facilities, and, if necessary, seek help from the National Police to fulfill the eviction requirement.

Paragraph: Establishment owners and/or managers shall point out the ban on smoking announced in the establishment to those who are blind.

Article 13. In fulfillment of what has been enacted in Article 5 of Law 13 of 2008 on the ban on tobacco use and tobacco products, the Ministry of Health shall also undertake the following actions:

1. Schedule and perform health inspections on public and private environments.
2. Broadcast the provisions contained in this Order to the general public through the use of mass media, flyers and others.
3. Advise managers or people in charge of public and private establishments on the contents of Law 13 of 2008 and this regulation.
4. Coordinate training with the competent authorities on the subject of tobacco control for the National Police, magistrates and other administrative authorities whose duty it is to guarantee fulfillment of the prevailing laws in the country.
5. Publicize the telephone number of the Ministry of Health's hotline to the general public so it can report violations of Law 13 of 2008 and this Order.
6. Permanently supply health inspectors with self-adhesive slips to be placed in front of the establishment that fails to comply with Law 13 of 2008 and/or this Order. These slips are a means to notify the people that the establishment is not fulfilling the laws that are in force on tobacco control and that it may constitute a health risk. These must be signed by the corresponding local health authorities and may only be removed after authorization from the competent health authorities. Violation of this provision shall be subject to the corresponding sanctions described in the Health Code and complementary laws.
7. Keep a record of establishments not fulfilling prevailing laws on tobacco control in each health region with the goal of verifying recidivism in violation of Law 13 of 2008 to thus avoid an establishment's becoming a permanent health risk.

Article 14. To be approved by the Ministry of Health, tobacco product packages must meet the following specifications:

1. Tobacco product cartons, among them cigars, Cuban cigars and cigarettes, must have:
  - a. The warning: "SMOKING CAN CAUSE DEATH". This warning must appear on a side of the package in Arial type lettering, closed capital letters, emphasized in bold print No. 32 and in contrasting colors.
  - b. The additional health warning shall occupy 50% of the front and back faces of the tobacco product package and be printed on the packaging and not on the discardable exterior wrapper.
  - c. The additional health warning text established and approved by the Ministry of Health shall be written in Spanish, be in a box that comprises 40% of the space designated for the additional health warning and be located in the lower portion of the front and back faces of each tobacco product package in Arial type lettering No. 14, in closed capital letters, emphasized in bold type and contrasting colors.
  - d. The pictogram, established and approved by the Ministry of Health, shall occupy 60% of the space designated for the additional health warning and be located on the lower front and back portion of each tobacco product package.
  - e. The information required in Numeral 3, Article 6 of Law 13 of 2008 must be placed on one side of the carton in Arial type lettering No. 10, in closed capital letters, emphasized in bold type and contrasting colors. All this

information must be included in the product bar code, which cannot be adulterated or have labels affixed over it, be removable, be obscured or be partially or totally covered.

f. Existence of the contents and tobacco products emissions must be written in the Spanish language in a box with contrasting colors on one side of the package with Arial type lettering No. 14, in closed capital letters and emphasized with bold type. Nicotine, tar, carbon monoxide and benzopyrene will especially be listed on the package. No values or yield numbers may be shown on any part of the package, inside or out.

g. No tobacco products may be manufactured, packaged, labeled, sold or supplied in any package or with any label whatsoever that is in any way false, questionable, deceptive or could lead to error and that could directly or indirectly create an erroneous impression about its characteristics or effects on health, the risks it represents for the user or those who are exposed to its emissions or about its emissions. By way of example, this includes the following:

i. The use of the words “light”, “low in tar”, “smooth”, “slim” in Spanish or any other language and/or the use of other words or descriptive elements, manufacturer’s, business or figurative brands or any other type of symbols, images, designs or other indications that might directly or indirectly lead to the false impression that a specific tobacco product is less harmful than another.

ii. The use of any text or images that may associate the product with an activity or state of health other than sickness, death or addiction.

Paragraph: To make the warnings and pictograms more visible, they must be printed on the front face on the left side and the rear face on the right side of the cartons, pursuant to Attachment B.

2. Tobacco product packs, among them cigars, Cuban cigars and cigarettes, must have:

a. The warning: “SMOKING CAN CAUSE DEATH”. This warning must appear on one side of the package in Arial type lettering, closed capital letters, emphasized in bold print No. 10 and in contrasting colors.

b. The additional health warning shall occupy 50% of the front and back faces of the tobacco product package and be printed on the packaging and not on the discardable exterior wrapper.

c. The additional health warning text established and approved by the Ministry of Health shall be written in Spanish, be in a box that comprises 40% of the space designated for the additional health warning and be located in the upper portion of the front and back faces of each tobacco product package in Arial type lettering No. 10, in closed capital letters, emphasized in bold type and contrasting colors.

d. The pictogram, established and approved by the Ministry of Health, shall occupy 60% of the space designated for the additional health warning and be located on the lower front and back portion of each tobacco product package.

e. The information required in Numeral 3, Article 6 of Law 13 of 2008 must be placed on one side of the package in Arial type lettering No. 6, in closed capital letters, emphasized in bold type and contrasting colors. All this information must be included in the product bar code, which cannot be adulterated or have labels affixed over it, be removable, be obscured or be partially or totally covered.

f. Existence of the tobacco products’ contents and emissions must be written in the Spanish language in a box with contrasting colors on one side of the package with Arial type lettering No. 8, in closed capital letters and emphasized with bold type. The nicotine, tar, carbon monoxide and benzopyrene will be listed on the package. No values or yield numbers may be shown on any part of the package, inside or out.

g. No tobacco products may be manufactured, packaged, labeled, sold or supplied in any package or with any label whatsoever that is in any way false, questionable, deceptive or could lead to error and that could directly or indirectly create an erroneous impression about its characteristics or effects on health, the risks it represents for the user or those who are exposed to its emissions or about its emissions. By way of example, this includes the following:

i. The use of the words “light”, “low in tar”, “smooth”, “slim” in Spanish or any other language and/or the use of other words or descriptive elements, manufacturer’s, business or figurative brands or any other type of symbols, images, designs or other indications that might directly or indirectly lead to the false impression that a specific tobacco product is less harmful than another.

ii. The use of any text or images that may associate the product with an activity or state of health other than sickness, death or addiction.

3. Tobacco product packages, other than cigars, puro cigars, Havana cigars and cigarettes, must have:

a. The warning: “SMOKING CAN CAUSE DEATH”. This warning must appear on one side of the package in Arial type lettering, closed capital letters, emphasized in bold print and in contrasting colors. The message print must be proportionate to the size of the package used to present the retail or wholesale product for sale so that it is visible and legible.

b. The additional health warning shall occupy 50% of the front and back faces of the tobacco product package and be printed on the packaging and not on the discardable exterior wrapper.

c. The additional health warning text established and approved by the Ministry of Health shall be written in Spanish, be in a box that comprises 40% of the space designated for the additional health warning and be located on the lower portion of the front and back faces of each tobacco product package in Arial type lettering, in closed capital letters, emphasized in bold print and in contrasting colors. The message print must be proportionate to the size of the package used to present the retail or wholesale product for sale so that it is visible and legible.

d. The pictogram, established and approved by the Ministry of Health, shall occupy 60% of the space designated for the additional health warning and be located on the lower front and back portion of each tobacco product package.

e. The information required in Numeral 3, Article 6 of Law 13 of 2008 must be placed on one side of the package in Arial type lettering, in closed capital letters, emphasized by bold print and in contrasting colors. All this information must be included in the product bar code, which cannot be adulterated or have labels affixed over it, be removable, be obscured or be partially or totally covered. The message print must be proportionate to the size of the package used to present the retail or wholesale product for sale so that it is visible and legible.

f. The contents and tobacco products emissions must be written in the Spanish language in a box with contrasting colors on one side of the package with Arial type lettering, in closed capital letters and emphasized by bold print. The message print must be proportionate to the size of the package used to present the retail or wholesale product for sale so that it is visible and legible. The nicotine, tar, carbon monoxide and benzopyrene shall be listed on the package. No values or yield numbers may be shown on any part of the package, inside or out.

g. No tobacco products may be manufactured, packaged, labeled, sold or supplied in any package or with any label whatsoever that is in any way false, questionable, deceptive or could lead to error and that could directly or indirectly create an erroneous impression about its characteristics or effects on health, the risks it represents for the user or those who are exposed to its emissions or about its emissions. By way of example, this includes the following:



- i. The use in Spanish or any other language of the words “light”, “low in tar”, “smooth”, “slim” and/or the use of other words or descriptive elements, manufacturer’s, business or figurative brands or any other type of symbols, images, designs or other indications that might directly or indirectly lead to the false impression that a specific tobacco product is less harmful than another.
- ii. The use of any text or images that may associate the product with an activity or state of health other than sickness, death or addiction.

Paragraph: On all packages referenced in numeral 3 of this article, the size of the letters used for health warnings shall be of an equal size to that used for the product’s identification.

Article 15. Manufacturers, importers and distributors of cigarettes and tobacco products in and through Panama shall adopt systems to identify these products, requiring that the package for tobacco and cigarette products be marked so as to allow determination about whether the product is genuine or false, as well as track and locate the product, monitoring and control of production volume and the application of means for tax collection. Non-fulfillment of this obligation shall constitute a Customs crime notwithstanding other types of responsibilities which may this fact may entail.

Article 16. The Ministry of Health, the Ministry of Economy and Finance, the National Customs Authority and other required government bodies and non-governmental organizations related to tobacco control shall consolidate strategic alliances to adopt efforts and resources to fulfill the provisions contained in Law 13 of 2008 and this Order.

Article 17. During each annual revolving period five (5) kinds of additional health warnings shall circulate in the market which are established and approved by the Ministry of Health. For such purposes the following provisions shall apply.

- a. These shall be distributed proportionately to the volume of packages.
- b. The pictograms shall be printed using the separation of colors technique.
- c. The pictograms must be reproduced from the electronic images used to create the warning. All images and texts must be reproduced in colors approximating the colors set forth and as clearly as possible.
- d. The Office of Public Health shall notify the tobacco industry and/or its subsidiaries via decree nine months in advance of the expiration date for the circulation of that year’s additional health warnings about the new additional health warnings and their respective pictograms which are to go into effect the following year.
- e. Remnants of the boxes, cartons and other tobacco product packages printed with the warnings and pictograms from the past enforcement period may circulate on the national market for three months after the national health warnings expire. Once this time period is fulfilled, same must be withdrawn from the market by their distributors or, in their absence, by the competent authority.

Article 18. The total ban shown in Article 14 of Law 13 of 2008 only allows placement of tobacco products and their derivatives in point-of-sale dispensers and shelves which have the additional health warnings with their respective pictograms. Tobacco advertising, promotion or sponsorship may play no part whatsoever in marketing. This also includes what is placed inside cartons and/or packs of all tobacco products and what is sent to consumers through the mail, on the internet or in using any other type of communication available on the domestic or international market.

The giveaway or distribution of samples of any tobacco product and its derivatives, whether free or not, is prohibited.

Article 19. No tobacco product derivatives may be promoted through gifts, souvenirs, allied activities or others that may prompt people to use tobacco products.

Article 20. The only permissible information will be that which is clear, truthful and sufficient about the contents and characteristics and to which all adults using tobacco products and their derivatives are entitled. Said information may only be delivered through its inclusion inside the package after authorization of its contents by the Department of Public Health of the Ministry of Health.

Article 21. Institutions providing health services that make up the Ministry of Health and Social Security Administration's network of services shall apply smoking cessation programs. For such purposes the following actions shall apply:

- a. The Department of Public Health shall actively design an Integral Program for Smoking Cessation. This program will be presented to the competent authorities within no more than three (3) months from when this Order takes effect.
- b. The Ministry of Health's Provision of Services Office and the Social Security Administration's Office of Medical Services and Benefits shall adopt the measures needed for optimal functioning of the cessation clinics in mobile facilities for primary and secondary care throughout the country as well as at entities specializing in managing addictions within a period of no greater than six (6) months after approval of the Integral Program for Smoking Cessation to which this article's subparagraph refers. These clinics will offer integral treatments to the smoking public who demands their services.
- c. Corresponding teaching units will carry out the qualification and training of personnel required for the good performance of these clinics. These must have at least one doctor, a psychologist, a social worker and a nurse.
- d. Health dispensaries, posts and subcenters shall develop only the component for the promotion of smoking cessation contained in the program under comment.
- e. Public health officials shall have access to the cessation clinics pursuant to the provisions of Article 165 of Law 9 of 1994.

Article 22. In order to guarantee intersector articulation in formulating smoking cessation policies, the Ministry of Health and the Social Security Administration shall consolidate strategic alliances to join forces and resources with non-governmental organization related to the topic of tobacco control, pursuant to the provisions of Numeral 3, Article 5 of Law 40 of July 7, 2004, to develop the Integral Program for Smoking Cessation.

Article 23. Agents in the business chain of all tobacco products and its derivatives shall have the following obligations:

1. Have the corresponding license for sale of the tobacco products and their derivatives issued by the competent authority
2. Be inscribed in the corresponding import registry
3. Importers and distributors of raw tobacco material and the machinery to prepare it may only sell these products to licensed manufacturers.

Article 24. To guarantee fulfillment of the provisions of the above article, the National Customs Authority will perform unannounced and periodic inspections and audits of license holders.

Article 25. The competent authority will empower the National Customs Authority to inspect, detain, seize and suspend merchandise in process, subject to any Customs destination health laws that the tobacco products and their derivatives may be infringing and which may not have the corresponding authorizations.

Article 26. Individuals or legal corporations operating in special economic areas, free or free trade zones and processing zones shall be required to present monthly inventories of business movement related to tobacco products and their derivatives, and if these movements are found to be unjustifiable, they will constitute aggravating circumstances of a Customs crime.

All tobacco products and their derivatives from special economic areas, free or free trade zones and processing zones and which are to be sold within the country must fulfill the provisions of Law 13 of 2008 and this Order after fulfilling the tax provisions in force that govern the matter.

Article 27. The message "The Sale of Tobacco Products to Minors is Prohibited" must measure 8-1/2 by 14 inches and be placed at each entrance and at each place where tobacco products are paid for at a height of 1.5 meters high off the floor. This message must be printed in Spanish, in Arial lettering No. 90, emphasized in bold print, in closed capital letters and contrasting colors. This must also contain the Ministry of Health's assigned telephone line to report violations of the Law, printed in Spanish in Arial lettering No. 30, emphasized in bold print, in closed capital letters and contrasting colors. Attachment C.

Article 28. Retailers are not allowed to place tobacco products in any location directly accessible to the customer.

Article 29. In order to fulfill the provisions of Article 25 of Law 13 of 2008, the Ministry of Education will develop the following products:

1. Educational objectives and contents aimed at developing abilities and life skills in students in formal and informal education, whether official or private, including the harm the use of tobacco products and their derivatives cause to the organism, the exposure to its smoke and its addictive nature and national and international measures being applied for tobacco control.
2. Strengthening of programs and other pedagogical and androgical strategies to facilitate implementation, educational activities related to the harm the use of tobacco products and their derivatives and the exposure to its smoke cause to the body, as well as its addictive nature and the national and international measures being applied for tobacco control.
3. Implementation, follow up and assessment of the objectives and educational content related to tobacco control.
4. Integration of the topic of tobacco control into the School Health and Integral Adolescent Health Program.
5. Strengthen the topic of tobacco control in the continuous training model aimed at teachers.
6. Strengthen the topic of tobacco control in school and regional educational communities.
7. Development of activities to promote the cessation of smoking in educational and regional communities, including promotion for the functioning of cessation clinics.
8. Strengthening, follow up and assessment of parent education programs , whose contents reflect the fundamental aspects of tobacco control.

9. Mechanisms that guarantee government financing for the strengthening, execution, follow up and assessment of educational programs aimed at tobacco control.

Article 30. Sanctions for non-fulfillment on the matter of control for all tobacco products and their derivatives shall be applied pursuant to the provisions of this Order.

Customs breaches will be sanctioned by the competent authority, pursuant to its prevailing legal provisions.

Article 31. Any individual or corporate entity committing a misdemeanor or breach of the provisions of the Health Code and other prevailing legal provisions regarding public health shall be sanctioned with:

1. Warning: Written notice from the competent health authority to the offender.
2. Fine: Penalty sanction which will vary between a minimum of ten balboas ((B/.10.00) and a maximum of one hundred thousand balboas (B/.100,000), depending on the severity of the breach.
3. Temporary suspension of activities: Sanction that impedes the normal performance of activities which the individual or offending corporate entity undertakes and which will last so long as the public health is affected.
4. Closure of the establishment: Sanction which can be temporary or final, according to the gravity of the breach.
5. Seizure: Consists of removing the articles or products affecting public health, according to the health authorities.

Article 32. Public health authorities are empowered to impose the following sanctions:

1. In the case of directors of health centers, subcenters or multi-centers, fines from ten balboas (B/.10.00) to five hundred balboas (B/. 500.00) and seizure of the articles and objects affecting health.
2. In the case of regional health directors, fines of five hundred one balboas (B/ 501.00) to five thousand balboas (B/ 5,000.00), the temporary suspension of activities, when required, while the affect on public health remains and seizure of the articles and objects affecting health.
3. In the case of the Office of Public Health, fines from five thousand one balboas (B/. 5,001.00) to one hundred thousand balboas (B/. 100,000.00), closure of the establishments temporarily or entirely according to the circumstances presented in each case and seizure of the articles and objects affecting health.

Article 33.- The amount of sanctions imposed shall be regulated bearing in mind the risk created to health, the offender's economic capacity, the social repercussion of the offense, the benefit the sanctioned conduct may yield to the offender, whether the offender is a minor and the offender's recidivism.

Article 34. If the breach is reported by a private individual, the General Administrative Procedure must be followed as established in Law 38 of 2000.

In cases where it comes from judicial request, the act of inspection, certificate or examination made by the Ministry of Health or the examination and analysis by a laboratory or other, to verify the breach. Subsequently, the procedure will continue pursuant to the provisions of Law 38 of 2000.

Article 35. Resolutions establishing sanctions shall be subject to appeals for reconsideration and/or appeal. Appeals admitted in the matter of public health shall be granted without suspension of judgment.

Article 36. The Office of Public Health shall submit an annual expense budget for development of the National Program on Prevention and Control of Smoking to control tobacco use and the exposure to second-hand tobacco smoke, whose funds will come, among others, from the provisions of Article 30 of Law 13 of 2008.

Article 37. For the purposes of fulfillment of the provisions of Article 31 of Law 13 of 2008, the Commission on Publicity and Propaganda is hereby established as an advisory body to the Office of Public Health on publicity and propaganda. This Commission will be made up of representatives from the different offices and/or departments from the Ministry of Health, Panamanian Authority on Food Safety and the National Authority for Consumer Protection.

Paragraph: The Office of Public Health shall establish the corresponding regulations for the functioning of same and may request the participation of other governmental and non-governmental entities when so required.

Article 38. All advertising, publicity or propaganda that intends to promote alcoholic beverages and other legal drugs, medicines, foods or food supplements, cosmetics, substances, procedures or other forms or methods to which preventive and/or curative properties are attributed, must be submitted for consideration to the Office of Public Health for its approval.

Article 39. All advertising, business, personal or other entities that publish or advertise without the respective authorizations stated in the above article will be penalized pursuant to this Order.

Article 40. Once this Order has taken effect, the Ministry of Health shall create the National Program for the Prevention and Control of Smoking as a department of the Office of Public Health with the purpose of promoting strategies aimed at the fulfillment of the principles contained in national and international legislation governing the matter in favor of the health of the people of this country.

Article 41. This Order shall take effect upon its promulgation in the Official Gazette.

Issued in Panama City on the sixth day of the month of May in the year 2008.

**THIS IS HEREBY ORDERED MADE KNOWN AND OBEYED.**

MARTIN TORRIJOS ESPINO

President of the Republic

ROSARIO E. TURNER M.

Minister of Health

Attachment A.

# **“SMOKING PROHIBITED”**

[No-smoking symbol]

**Law 13 of January 24, 2008  
REPORTS AT 800-5500**

Attachment B: Carton

On both faces: front and back

<b>SMOKING CAN CAUSE DEATH</b>	<b>WARNING TEXT</b>  <b>PICTOGRAM</b>	<b>50% Health Warning</b>	<b>BARCODE</b> <b>Benzopyrene</b> <b>Nicotine</b> <b>Tar</b> <b>Carbon Monoxide</b>
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40% Warning text    60% Pictogram

**Attachment B. Cigarette box**

(5) TOXIC CONTENTS OF THE PRODUCT: CLEAR, VISIBLE AND LEGIBLE LETTERING SET IN A BOX

[In the box]:  
MANUFACTURING INDUSTRY  
Some toxic substances:  
Tar 8 mg  
Nicotine .07 mg  
Carbon monoxide 8 mg  
Benzopyrene X mg

SMOKING CAN CAUSE DEATH → ARIAL LETTERS, NUMBER 14, VISIBLE, CLEAR AND LEGIBLE  
PRIMARY CONTRASTING COLORS

LOGO BRAND NAME

LOGO BRAND NAME

IMAGE OR  
PICTOGRAM

WARNING  
TEXT →

INSIDE A BOX:  
PRIMARY COLORS  
ARIAL LETTERING NUMBER 14  
**50% OF THE INSIDE BACK COVER**

*CUSTOMER SERVICE 800-8888*  
[ILLEGIBLE] → INFORMATION ON THE ORIGIN, PRODUCTION, EXPIRATION OF THE  
PRODUCT, WHERE IT WILL BE SOLD, LOT AND REGISTRATION

[BARCODE] --> PROTECTION FROM ADULTERATION  
BEST BEFORE 14/JUNE/10

LOGO BRAND NAME

IMAGE OR  
PICTOGRAM

WARNING  
TEXT →

INSIDE A BOX:  
PRIMARY COLORS  
ARIAL LETTERING NUMBER 14  
**50% OF THE INSIDE BACK COVER**

LOGO BRAND NAME



**ATTACHMENT C.**

**"THE SALE OF  
TOBACCO PRODUCTS  
TO MINORS  
IS PROHIBITED"**

**REPORTS AT 800-5500**