

Unofficial Translation



GENERAL DIRECTORATE OF PUBLIC HEALTH

RESOLUTION No. 0181
of July 24, 2025.

Approving the three (3) new pictograms with their respective health warnings† which shall be printed on the various packages and containers of nicotine- and non-nicotine delivery systems—better known as electronic cigarettes and similar products with or without nicotine—as well as consumables, tanks or cartridges, refill containers, and other accessories, Conventional Heated Tobacco Products (Conventional HTPs) and Oral Nicotine Products (ONPs), among others, that are marketed within the territory of the Republic of Panama; for the period of validity from December 1, 2025, to November 30, 2026.

THE DIRECTOR GENERAL OF PUBLIC HEALTH, ACTING
in the exercise of his legal authority,

WHEREAS:

That Article 17 of the Political Constitution of the Republic of Panama establishes that the authorities of the Republic are established to protect the life, honor, and property of nationals wherever they may be and of foreigners under its jurisdiction; to ensure the effectiveness of individual and social rights and duties; and to comply with and enforce the Constitution and the law.

That, likewise, Article 109 of the National Constitution states that it is an essential function of the State to safeguard the health of the population, and Article 110 specifies that, in matters of health, it is primarily the responsibility of the State to combat communicable diseases and to adopt immunization, prophylaxis, and treatment measures, provided collectively or individually, to the entire population.

The Public Health Code, adopted by Law No. 66 of November 10, 1947, confers upon public health authorities the essential functions of public health—namely, surveillance, promotion, research, institutional regulatory capacity, oversight, and risk and harm control—through Article 3, which states the following:

“Article 3: The provisions of this Code shall take precedence over any other legal provision regarding public health and are binding on natural or legal persons and national or private entities—whether domestic or foreign—that currently exist or may exist in the future, whether temporarily or on a permanent basis, within the territory of the Republic.”

Law No. 66 of November 10, 1947, enacts the Public Health Code and stipulates in Article 85 that it is the authority and duty of the Ministry of Health to organize and regulate the practice of vaccinations for the prevention or cure of human diseases, to mandate their collective use in indicated cases, and to adopt any necessary emergency measures that cannot be delayed in the event of an epidemic or other public calamity.

Cabinet Decree No. 1 of January 15, 1969, establishes the Ministry of Health to carry out actions related to health promotion, restoration, and rehabilitation, which, by constitutional mandate, are the responsibility of the State; and as an organ of the executive branch, it is charged with determining and directing the government’s health policy in the country.

Decree No. 75 of February 27, 1969, establishes the Organic Statute of the Ministry of Health; among its general functions is the responsibility to keep up to date the legislation regulating activities in the health sector, the



Unofficial Translation

regulations and standards for the operation of technical and administrative services, as well as operating manuals, which shall guide the implementation of programs at the national level, in accordance with operating standards of proven efficiency.

That, pursuant to Resolution No. 146 of January 31, 2025, the following are prohibited: the use and sale to minors; advertising, promotion, sponsorship, and marketing of nicotine-containing and nicotine-free delivery systems—better known as electronic cigarettes and similar products, with or without nicotine—as well as consumables, refills, cartridges, refill containers, and other accessories; conventional heated tobacco products (conventional HTPs); and oral nicotine products (ONPs), among others, and sets forth other provisions.

Articles Fifteen and Sixteen of Resolution No. 146 of January 31, 2025, establish the following:

“ARTICLE FIFTEEN. For the due approval by the Ministry of Health, health warnings meeting the following requirements must be printed on the packaging and containers of the products regulated by this resolution:

1. The warning: “USE OF THIS PRODUCT MAY CAUSE DEATH.”
This warning must appear on the side of the packaging or container of the products regulated by this resolution, in clear, visible, legible letters and in contrasting colors.
2. An additional health warning that shall occupy 50% of the front and back of each package or container, featuring an image or pictogram that shall rotate annually; it must be clear, visible, and legible, and written in Spanish. During each rotation period, three types of health warnings shall circulate in the domestic market, distributed proportionally to the volume of containers.
3. The text of the additional health warning, established and approved by the Ministry of Health, shall appear in a box covering 40% of the space designated for the additional health warning. The pictogram, established and approved by the Ministry of Health, shall occupy 60% of the space designated for the additional health warning and shall be located at the bottom of the front and back of each container.
4. Information regarding the product's origin, production and expiration dates, the location where the product will be sold, the lot number, and the registration number. The product's barcode must not be altered or have labels affixed over it. Failure to comply with this requirement shall constitute a customs offense, without prejudice to any other liabilities that may arise from this act.
5. The information shall be placed on one of the sides of the packaging, in 10-point Arial font, in all caps, highlighted in bold, and in contrasting colors. All of this information must be included in the product's barcode, which must not be tampered with or have labels affixed over it, nor may it be removed, concealed, or covered, either partially or completely.

“ARTICLE SIXTEEN. For the printing of images or pictograms on packaging, the color separation technique shall be used, and their minimum size shall be sixty percent (60%) of the space designated for the health warning established by the Ministry of Health.”

Article Nineteen of Resolution No. 146 of January 31, 2025, provides as follows:

“ARTICLE NINETEEN. During each annual rotation period, three (3) types of additional health warnings established and approved by the Ministry of Health shall circulate in the domestic market. For such purposes, the following provisions shall apply:

- a. They shall be distributed in proportion to the volume of the package.
- b. The pictograms shall be printed using the color separation technique.
- c. The pictograms must be reproduced from the electronic images used to generate the warning. All images and text must be reproduced in colors that closely match the intended colors and as clearly as possible.
- d. The General Directorate of Public Health give notice of the new additional health warnings and their respective pictograms for the following year via a resolution nine (9) months prior to the expiration date of the additional health warnings for the current year.
- e. During the three (3) months following the expiration of the

Unofficial Translation



annual warnings, the remaining packs, cartons, and other packaging of products regulated by this resolution that bear the health warnings and pictograms from the previous period may remain on the domestic market. After this period expires, distributors must remove them from the market; failing that, the competent authority shall do so."

The aforementioned legal provision states in its seventeenth article that the content of the health warnings and pictograms shall be established by the Ministry of Health. The industry or its subsidiaries shall reproduce them on all containers or packaging of products regulated by this resolution intended for the end consumer. The packaging units, as well as all outer packaging of electronic devices containing e-liquids, refill mechanisms, and containers, must include the following information and specifications: a list of all ingredients contained in the electronic device, e-liquids, and containers, in descending order; an indication of the nicotine content (if applicable); the country of origin (provenance); and its dosage, the manufacturing lot number, a recommendation to keep the product out of the reach of children, and the warning: **SALE TO MINORS UNDER 18 YEARS OF AGE IS PROHIBITED**, as well as for all other regulated products. The foregoing is in strict compliance with the provisions of the WHO Framework Convention on Tobacco Control (FCTC), ratified by our country through Law No. 40 of July 7, 2004, and has as its primary objective to protect present and future generations from the devastating health, social, environmental, and economic consequences of tobacco use;

Whereas Article Twenty of Resolution No. 146 of January 31, 2025, provides as follows:

“**ARTICLE TWENTY.** Every device used as a nicotine delivery system or otherwise, better known as electronic cigarettes and similar products with or without nicotine, Conventional Heated Tobacco Products (Conventional HTPs), analogous products, and Oral Nicotine Products (ONPs), among others, regardless of their size and material, must bear a non-removable label covering 50% of their front and back surfaces with the following health warning: ‘The use of this product causes disease and may result in death.’ This same label must state, ‘Do not remove this label, under penalty of Law 40 of 2006.’”

Samples of these labels, affixed to the devices regulated by this standard, shall be submitted to the General Directorate of Public Health of the Ministry of Health upon approval of the health warning to be placed on the outer packaging.”

The General Directorate of Public Health is responsible for national public health functions of a directive, normative, regulatory, inspection, and control nature.

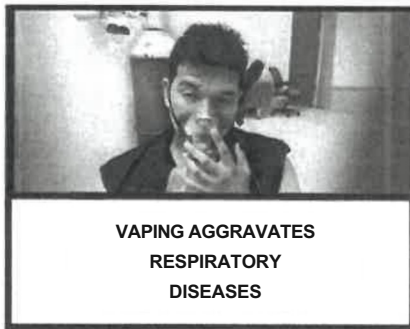
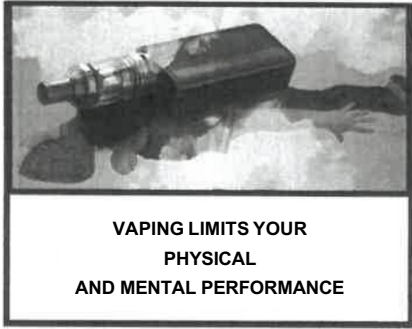
That, based on the foregoing,

IT IS HEREBY RESOLVED:

Article One: To approve the three (3) pictograms and their respective health warnings, which must be printed on the various packages and containers of nicotine- and non-nicotine delivery systems—better known as electronic cigarettes and similar products with or without nicotine—as well as consumables, tanks or cartridges, refill containers, and other accessories, Conventional Heated Tobacco Products (Conventional HTPs) and Oral Nicotine Products (ONPs), among others, that are marketed within the territory of the Republic of Panama; effective from December 1, 2025, through November 30, 2026.

The images of the pictograms and their respective warnings referred to in this article are as follows:

Unofficial Translation



Article Two: To inform manufacturers, importers, distributors, and retailers of nicotine- systems and non-nicotine-delivery systems—better known as electronic cigarettes and similar products, with or without nicotine—as well as consumables, tanks or cartridges, refill containers, and other accessories, Conventional Heated Tobacco Products (Conventional HTPs) and Oral Nicotine Products (ONPs), among others, that health warnings and pictograms must be displayed on the various packages and containers of their products, in equal proportions throughout the period of circulation for all brands.

Article Three: To authorize the members of the National Tobacco Control Commission and the country's local and regional health authorities to monitor strict compliance with the provisions of this Resolution and with current regulations regarding tobacco control.

Article Four: To notify the National Customs Authority of the provisions of this Resolution so that appropriate measures may be taken to ensure that no tobacco products that do not comply with tobacco control regulations are allowed to enter the national territory.

Article Five: This Resolution shall take effect upon its promulgation.

LEGAL BASIS: Political Constitution of the Republic of Panama, Cabinet Decree No. 1 of January 15, 1969, Law No. 40 of July 7, 2004, Law No. 13 of January 24, 2008, as amended by Law No. 49 of September 17, 2009, Executive Decree No. 230 of May 6, 2008, and Resolution No. 146 of January 31, 2025.

LET IT BE COMMUNICATED AND PUBLISHED.

