

AGREEMENT No. 23
(of September 23, 1999)

“Whereby the Regulations on Sanitation and Communicable Disease Prevention are approved”

THE BOARD OF DIRECTORS OF THE PANAMA CANAL AUTHORITY

WHEREAS:

In accordance with article 18.5 m of the Panama Canal Authority Organic Law, the Board of Directors is responsible for approving the regulations on sanitation, health, and safety related to the transit of vessels and the areas reserved for the operation of the Canal.

In exercise of his legal authority, the Administrator of the Canal has submitted for the consideration of the Board of Directors the draft regulations on sanitation and the prevention of any communicable diseases which may be introduced, transmitted, or spread by vessels arriving in Canal waters.

AGREES:

The following regulations on sanitation and communicable disease prevention are adopted:

“REGULATIONS ON SANITATION AND COMMUNICABLE DISEASE PREVENTION

Section One
General Provisions and Definitions

Article 1: The purpose of these regulations is to ensure the health and safety of the employees of the Panama Canal Authority, and to prevent the introduction and spread of communicable diseases within the national territory.

Article 2: The provisions of these regulations shall apply in addition to the general provisions concerning such matters established by the competent national health authority, the recommendations of the World Health Organization, and those deriving from international conventions to which Panama is a party.

Article 3: It is the Canal Authority’s responsibility to apply all the rules and regulations stipulated in article 2 above, and to take any administrative measures required for their effectiveness; in exercise of this responsibility, the Canal Authority may request the cooperation of the competent national authorities.

Article 4: The words, expressions, and abbreviations used in this Regulation shall have the following meaning:

Infected Vessel: A vessel determined to be infected with a disease subject to international quarantine, as established by the World Health Organization (WHO).

Suspected Vessel: A vessel that is suspected to be infected with a disease subject to international quarantine, as established by the World Health Organization (WHO), or with a communicable disease which the competent authority considers dangerous and a potential hazard to public health.

Deratting Certificate: A certificate prescribed by the International Health Regulations, issued with respect to a vessel by the competent health authority of a port, recording the inspection and deratting of the vessel.

Deratting Exemption Certificate: A certificate prescribed by the International Health Regulations, issued with respect to a vessel by the competent health authority of a port, recording the inspection and exemption from deratting, when such vessel has a negligible number of rodents on board.

Certificate of Vaccination: A certificate issued in accordance with the International Health Regulations, of vaccination against cholera or yellow fever.

Disinfection: Destruction of any causal agents of disease found on inanimate surfaces or living tissues, by directly applied chemical or physical means.

Disinfestation: Destruction, by chemical or physical means, of any small animals (rodents or arthropods) found in the body of a person or animal, utensils, or other areas of the environment.

Disinsecting: Destruction, by chemical or physical means, of any small, undesirable animals (insects) found in the body of a person or animal, utensils, or other areas of the environment.

Disease Subject to Quarantine: A specific communicable disease, such as cholera, plague, or yellow fever, for which the WHO requires specific quarantine measures; or any other communicable disease that is dangerous, and a hazard to public health.

Pratique: Authorization to enter Canal waters granted in writing or via radio by the Canal Authority to a vessel, and which does not relieve the vessel from completing the necessary sanitation documentation.

Communicable Disease Prevention Measures: The surveillance or quarantine of a person, vessel, or other conveyance, animal or thing, in such place and for such period of time as may be specified in these Regulations.

Inspection Officer: A qualified employee assigned to inspection duties, to ensure compliance with these Regulations, and the regulations on Safety, Admeasurement, and Navigation in Canal waters.

Infected Person: Any person suffering from a disease subject to quarantine, or who is considered by the Canal Authority to be an asymptomatic carrier of such a disease.

Suspect: A person who is considered by the Canal Authority as having been exposed to infection by a disease subject to quarantine, or any infectious, dangerous disease, capable of spreading.

International Health Regulations: The Regulations adopted by the World Health Assembly in 1969, for international prevention of communicable diseases.

Valid Deratting or Deratting Exemption Certificate: A certificate issued by the competent health authority of a port, and presented within an effective period of 6 months. If the certificate has expired, an extension may be granted, provided the vessel renews the certificate within seven months in an authorized port.

Valid Certificate of Vaccination: A vaccination certificate presented within the applicable period of immunity prescribed by these regulations.

Vector: An animal (including insects), plant, or thing which conveys or is capable of conveying pathogenic organisms from a person or animal to another person or animal.

Infected Area: An area where a non-imported case of cholera, plague, or yellow fever is detected, or where there is plague infection among rodents, or where there is activity of yellow fever virus in vertebrates other than man.

Yellow Fever Receptive Area: An area in which the virus of yellow fever does not exist, but where the presence of *Aedes Aegypti* or any other domiciliary or peri-domiciliary vectors of yellow fever would permit its development.

Section Two Measures Prior to Arrival in Canal Waters

Article 5: Prior to arrival in Canal waters, vessels must take the following measures, in accordance with the provisions of the annex hereto:

1. Sanitary inspection and corrective measures.
2. Entries in the Official Record
3. Report of disease aboard.
4. Yellow fever detection and disinsecting on board.

Article 6: Vessels shall provide information relative to the sanitary measures described in the previous article, and shall declare all measures adopted to prevent communicable diseases, in accordance with the annex hereto.

Section Three General Requirements Upon Arrival at the Panama Canal

Article 7: Except for the cases indicated in the annex hereto, the Canal Authority shall inspect all vessels arriving in Canal waters, to detect communicable diseases.

Article 8: A vessel that is not normally subject to communicable disease surveillance inspection under the provisions of article 7 above, must be inspected prior to transiting in the cases indicated in the annex.

Article 9: Vessels exempt from surveillance inspection shall comply with the provisions of articles 21, 22,

23, and 24.

Article 10: If there is reason to believe that a vessel is possibly infected with a communicable disease, such vessel shall exhibit a yellow flag, and shall anchor to await inspection.

In these cases, if the vessel is to dock in a port, the Canal Authority shall authorize the vessel to proceed to a point within the port, to await inspection by the competent health authority of the port.

Section Four Communicable Disease Surveillance Inspection

Article 11: The communicable disease surveillance inspection of the vessel shall include the aspects indicated in the annex.

Article 12: The Canal Authority shall report to the competent health authority, and shall take preventive measures to protect its employees, and the spread of communicable diseases not subject to quarantine.

Article 13: The Canal Authority will require that inspected vessels comply with the restrictive measures necessary to prevent communicable diseases, or diseases subject to quarantine.

Article 14: All persons boarding a vessel under restrictive measures shall be subject to the same restrictive measures as the vessel.

Article 15: Persons subject to restrictive measures shall not have contact with other persons, except by permission of the Canal Authority.

Article 16: After a vessel has cleared inspection, it may relieve its crew. Crew members boarding the vessel must be cleared by the competent authorities.

Article 17: Embarking or disembarking of persons, animals, or things before inspection and before the granting of pratique is prohibited, except for the Panama Canal pilot and any other person authorized by the Canal Authority or by the competent health or veterinary authority.

Article 18: Based on the cargo manifest, and if warranted, the Authority shall order the cargo to be disinfected at the expense of the vessel, and in accordance with the annex.

Article 19: Except in the case of food or beverages, and animals subject to surveillance restrictions that the Canal Authority has reason to believe come from a cholera-infected area, the mail shall not be detained, disinfected, or destroyed under the provisions of this Regulation.

Article 20: The Canal Authority may notify the next port of such additional measures as may be indicated for a particular vessel to proceed there. Also, the Canal Authority may contact the next port of call regarding the measures indicated.

Section Five

Sanitary Inspection for Rodent and Vermin Control

Article 21: Vessels entering Panama Canal waters are subject to sanitary inspection by the Canal Authority to determine:

1. Whether there is rodent, vermin, or insect infestation.
2. Whether there is contaminated food or water aboard.
3. Whether there are other unsanitary conditions requiring measures for the prevention of introduction, transmission, or spread of communicable diseases.

Article 22: Vessels may be disinfested on arrival in Canal waters, if so warranted in the judgment of the Canal Authority.

Article 23: The Canal Authority may require that persons, personal belongings, and baggage aboard a vessel be disinfested, disinfected, or disinfected.

Article 24: If an arriving vessel does not produce a valid Deratting Certificate or Deratting Exemption Certificate, she shall comply with the provisions of the annex concerning this matter.

Article 25: A vessel arriving in Canal waters, and docking at a national port, shall report, before returning to Canal waters, if any of the following events occurred during its stop at such national port:

1. The existence or suspicion of existence of any communicable disease included or described in the annex to article 5.
2. Unusual mortality or evidence of disease among rodents.

Section Six

Sanitary and Quarantine Measures

Article 26: The Canal Authority shall apply preventive sanitary and quarantine measures in accordance with the annex, to prevent the introduction of cholera, plague, and yellow fever.

Article 27: The Canal Authority shall adopt any measures necessary to prevent the introduction to the country, or the spreading to other countries, of other infectious diseases that are considered a serious threat.

Article 28: The Canal Authority shall place any vessels subject to preventive sanitary and quarantine measures under the custody of the competent authority.

Article 29: Preventive measures against diseases subject to international quarantine shall not exceed the incubation periods indicated in the annex.

Article 30: The recognized periods of immunity after successful immunization are set forth in the annex.

Article 31: Required sanitary measures taken by a vessel prior to its arrival in Canal waters need not be

repeated, except in the cases indicated in the annex.

Article 32: Upon request, the Canal Authority shall issue a certificate specifying the sanitary measures applied to a vessel under this Regulation, as set forth in the annex.

Section Seven Pratique

Article 33: Vessels arriving in Canal waters shall be granted free or provisional pratique, after being inspected by the Canal Authority.

Article 34: Upon request, the Canal Authority may grant radio pratique to a vessel upon the basis of information received prior to arrival of the vessel, provided the entry of the vessel will not result in the introduction, transmission, or spread of communicable diseases.

Article 35: Vessels granted pratique in a Panamanian port shall comply with the provisions of the annex.

Article 36: The Canal Authority shall authorize the vessel to proceed through a provisional pratique, on condition that the vessel take any additional measures prescribed by the Canal Authority regarding her sanitary condition.

Article 37: Vessels that cannot meet the requirements to obtain free or provisional pratique must return to sea.

Section Eight Importation or Transiting of Animals

Article 38: Vessels carrying live or slaughtered animals or their by-products, to be imported to Panama, shall be subject to Republic of Panama health measures.

Article 39: Transiting vessels carrying live or slaughtered animals or their by-products are subject to the provisions of the specific procedure adopted to that effect by the Canal Authority.

Section Nine Discharging Vessel Wastes, Ballast, and Sewage

Article 40: Vessels under way in Canal waters shall comply with the provisions of the annex with respect to discharge of wastes, ballast, and sewage.

Article 41: Vessels at anchor in Canal waters for a considerable period of time may request barge services to dispose of waste, at their own expense.

Section Ten
Penalties

Article 42: Violations to any of the provisions of these regulations shall be penalized by the Administrator or his designee, in accordance with Chapter X, Regulations on Navigation in Canal Waters, without prejudice to any applicable criminal and civil provisions.

PARAGRAPH: The Administrator of the Panama Canal Authority is hereby authorized to publish and disseminate this Regulation with a different format, including annotations and comments, to facilitate its use by the users of the Canal.”

Given in Panama, on the twenty-third day of September, nineteen hundred and ninety-nine.

To be published and enforced.

Ricardo Martinelli

Diogenes De La Rosa

Minister for Canal Affairs

Secretary

“ANNEX

Section Two Measures Prior to Arrival in Canal Waters

Article 5:

1. Sanitary Inspection and Corrective Measures.

The master or a designated officer shall make a daily sanitary inspection of all compartments of the vessel normally accessible to passengers or crew. Immediate corrective measures shall be taken if evidence of vermin, rodents, or unsanitary conditions is found.

2. Entries in the Official Record.

A record of the conditions found in the sanitary inspection and the corrective measures taken, shall be entered in an official record.

3. Report of Disease On Board.

Not less than four hours before the expected time of arrival in Canal waters, and wherever practicable, the master of a vessel shall report by radio the occurrence or suspected occurrence on board of any serious human or animal disease manifested by fever, diarrhea, skin rashes, and other suspicious symptoms such as may indicate any of the following: Anthrax, cholera or suspected cholera, dengue, diphtheria, encephalitis, gonorrhea, hemolytic streptococcal infections, infectious hepatitis, leprosy, malaria, measles, meningococcal meningitis, plague, poliomyelitis, *shigella* dysentery, syphilis, tuberculosis, typhoid fever, typhus, suspected viral hemorrhagic fever, yellow fever, or any other diseases which may be added to the list of internationally communicable diseases as recognized by the WHO or by the competent health authority.

The Canal Authority will notify the competent health authority as soon as information is received that one of the preceding diseases is present or suspected of being present on a ship.

4. Yellow Fever Detection and Disinsecting On Board.

The following vessels shall be disinfected prior to their arrival in Panama Canal waters:

1. An infected or suspected vessel.
2. A vessel from an infected area.
3. A vessel that has within 15 days left a port where the *Aedes Aegypti* index is reported as 1.0 or higher. The insecticide used, and the method of disinsecting, shall be those prescribed by the Canal Authority.

The master shall certify that the disinsecting has been done, in the Maritime Quarantine Declaration delivered to the Canal Authority.

If the disinsecting required is not carried out, or if the Canal Authority finds live mosquitoes on board, or otherwise determines that the disinsecting was inadequate, the vessel shall be detained in quarantine at a

mooring not less than 400 meters from shore, until disinfected by communicable disease surveillance personnel, and persons other than such personnel shall not be allowed on board until disinfecting is completed.

The disinfecting shall not be required when the index of the *Aedes Aegypti* in Panama exceeds the index of 1.0 established by the World Health Organization (WHO).

Vessels required to be disinfected shall be disinfected as follows:

1. The insecticide used shall be an aerosol of a type approved by the Canal Authority.
2. The insecticide shall be dispensed in the amount to be determined by the Canal Authority, and released or sprayed throughout all accessible compartments.
3. The ventilating system shall be stopped, and all openings to the exterior kept closed while the insecticide is being released or sprayed, for a period of at least 15 minutes.

The competent health authority, upon its request, shall receive detailed information on the documentation required for the entrance of a vessel arriving in Canal waters.

Article 6: Upon arrival of a vessel, her master shall complete and sign a maritime communicable disease surveillance declaration on the Panama Canal Authority Communicable Disease Surveillance Declaration form, which shall also be signed by the ship's surgeon, if one is carried. The original shall be kept by the inspection officer, who shall forward copies to the port quarantine official and the competent authorities. A copy shall also be given to the master of the vessel.

Section Three

General Requirements Upon Arrival at the Panama Canal

Article 7: Vessels arriving in Canal waters shall not be subject to inspection in the following cases:

1. When the vessel has not touched at any port other than a port determined by the WHO or the competent health authority to be in an area that is exempt from communicable disease surveillance.
2. When the vessel has received pratique at a Panamanian port, and since receiving such pratique has met the requirements of paragraph 1 above.
3. When pratique has been granted to the vessel by the Canal Authority prior to arrival at the Panama Canal.

Article 8: A vessel otherwise exempt from inspection under the provisions of the foregoing article, shall undergo an inspection before entering the Canal if the vessel:

1. Has on board, or during the current voyage has had on board, a person infected or suspected of being infected with any serious human or animal disease manifested by fever, diarrhea, skin rash, jaundice, or other suspicious symptoms.

2. Arrives directly from a port where at the time of departure there was present or suspected of being present cholera, plague, or yellow fever.
3. If on arrival at the Panama Canal the vessel has on board a person who has been in a port or area which is not exempt from communicable disease surveillance within 14 days prior to such arrival, or
4. Being exempt from inspection under the provisions of paragraph 1 or 3 of the foregoing article, on arrival at the Panama Canal the vessel has on board an animal or article that does not comply with the requirements contained in this Regulation.

Section Four Communicable Disease Surveillance Inspection

Article 11. Communicable disease surveillance inspection of vessels may include, but is not limited to, the following:

1. Inspection of the vessel, its cargo, manifests, and other papers, to ascertain the sanitary history and condition of the vessel; and
2. Examination of the persons aboard the vessel, their personal effects, and records, to determine the presence, or risk of introduction and spread, of diseases subject to quarantine and other communicable diseases.

Article 18: Disinfection of cargo shall be carried out as follows:

1. Request veterinary assistance to inspect and disinfect cargo on board, if the vessel is for transit only.
2. Notify the official of the competent authority if the vessel will enter a port, so that the articles can be disinfected or kept separate from other freight in the port, pending appropriate disposition.

Section Five Sanitary Inspection for Rodent and Vermin Control

Article 24: When a vessel does not produce a valid Deratting Certificate or Deratting Exemption Certificate:

1. If the vessel will only transit the Panama Canal, and the inspection officer is satisfied that the vessel is free of rodents or is kept in such a condition that the number of rodents on board is negligible, he may clear it for transit, and notify the Canal Authority and the competent health authority that a deratting certificate is not required.
2. If the vessel will stop in a Canal waters port, the inspection officer will report his findings and recommendations to the competent authority.

Section Six

Sanitary and Quarantine Measures

Article 26: For the purpose of applying sanitary and quarantine measures against the spread of cholera, plague, and yellow fever, the following definitions shall apply:

1. Cholera:

An *infected vessel* means a vessel which has on board on arrival a case of cholera-like diarrhea, or on which a case of cholera has occurred within 5 days prior to arrival.

A *suspected vessel* means a vessel which has had on board during the voyage a severe case of cholera-like diarrhea more than 5 days prior to arrival.

The Canal Authority shall disinfect a vessel as follows:

- a. An infected or suspected vessel shall be detained in quarantine as may be necessary for the effective accomplishment of the applicable sanitary measures prescribed in this Regulation.
- b. Personal effects and baggage of an infected person or suspect, and the part of the infected or suspected vessel considered to be contaminated, shall be disinfected. Bedding or linen, human excretions, bilge water, waste matter or water, and matter considered to be contaminated, may not be unloaded or discharged until disinfected by the competent health authority.
- c. On arrival of an infected or suspected vessel, or a vessel arriving from an infected area, the Canal Authority may prohibit entrance into Canal waters of such vessel until arrangements have been made with the official of the competent health authority, for evaluation of all fish, shellfish, fruit, or vegetables to be consumed uncooked, unless such food or beverages are in sealed containers. The official shall also evaluate any such food or beverages that form part of the ship's stores.
- d. If the Canal Authority considers that the water supply of a vessel is contaminated, he shall require the disinfection and removal of any water carried on board, and if necessary, the disinfection of the water system and of the water containers.

A vessel shall not discharge contaminated water in Canal waters.

The Canal Authority shall disinfect persons as follows:

- a. Persons ill from cholera shall be isolated and immediate arrangements shall be made with an official of the competent health authority for treatment of the person.
- b. On arrival of an infected vessel, the inspection officer shall contact an official of the competent health authority to arrange placement under isolation of all persons disembarking.
- c. On arrival of a suspected vessel, the Canal Authority shall contact an official of the competent health authority to arrange placement under surveillance or isolation of any person disembarking.
- d. The Canal Authority shall contact officials of the competent authority regarding isolation or surveillance

of any person wishing to disembark from a vessel which within five days prior to arrival has departed from a cholera-infected area or arrives on a vessel which has departed from such an area.

e. A person who has departed from an infected area within 5 days prior to arrival, and who has symptoms indicative of cholera, may be required to submit to a feces examination.

2. Plague:

An *infected vessel* means a vessel which has on board a case of human plague, or a plague-infected rodent. A vessel shall also be regarded as infected if a case of plague develops on board in a person more than 6 days after his embarkation.

A *suspected vessel* means a vessel which, not having a case of human plague on board on arrival, has had on board such a case, developed by the person within 6 days of his embarkation; or a vessel on which there is evidence of abnormal mortality of rodents on board, the cause of which is not known on arrival.

An infected or suspected vessel shall be detained in quarantine as may be necessary for the effective accomplishment of the applicable sanitary measures prescribed in this Regulation.

On arrival of a vessel which has rodent plague on board, the inspection officer shall contact an official of the competent health authority, and will coordinate arrangements for deratting of the vessel.

A vessel which has entered a Panamanian port in or adjacent to Panama Canal waters will not be allowed to re-enter Panama Canal waters until the following provisions have been met during such deratting:

- a. The deratting shall be carried out as soon as the holds have been emptied.
- b. One or more preliminary deratting of a vessel with the cargo *in situ* or during its unloading may be carried out, to prevent the escape of infected rodents.

Persons ill from plague shall be isolated until arrangements are made with the competent authority for quarantine and treatment of such persons.

On arrival of an infected or suspected vessel, the inspection officer may:

- a. Require any suspect on board to be disinfected and may place him under surveillance, the period of surveillance being reckoned from the date of arrival of the vessel.
- b. Require the disinfecting and, if necessary, disinfection of the baggage of any infected person or suspect, and of any other article such as used bedding or linen; and of any part of the vessel which the Canal Authority considers to be contaminated.

On arrival of a healthy vessel which has come from a plague-infected area, the Canal Authority may:

- a. Arrange placement under continuous surveillance by an official of the competent health authority of any suspect who disembarks.
- b. Require the deratting of the vessel at the anchorage, if considered necessary. In such case, the master

of the vessel shall be informed in writing of the reasons for the action.

3. Yellow Fever:

An infected vessel means a vessel which has on board on arrival, or which during its voyage had on board, a case of yellow fever.

A suspected vessel means a vessel which has left a yellow fever-infected area within 6 days prior to arrival, or which arriving within 30 days after leaving such area, has *Aedes Aegypti* mosquitoes on board.

The inspection officer shall contact the competent authority on arrival of any person from an infected area or planning to disembark from an infected or suspected vessel, who does not produce a valid certificate of vaccination against yellow fever, and shall coordinate removal and isolation of all persons ill with yellow fever, until they are no longer infectious.

Article 29: Preventive quarantine measures shall not exceed:

1. Plague: 6 days.
2. Cholera: 5 days.
3. Yellow Fever: 6 days.

These periods may vary, as prescribed by special international regulations concerning such matters.

Article 30: After successful immunization, the following shall be the recognized periods of immunity:

Cholera: 6 months, beginning 6 days after the first vaccination, or from the date of re-vaccination.

Yellow Fever: 10 years, beginning 10 days after the first vaccination, or from the date of re-vaccination.

Article 31: Required sanitary measures other than a medical examination, taken by a vessel with respect to a disease subject to quarantine, need not be repeated upon the vessel's arrival in Panama Canal waters, unless:

1. After the departure of a vessel from the port where the measures were applied, there is or has been on board an infected person or suspect, or there has occurred any other incident of epidemiological significance, either in the port, or on board the vessel which, in the judgment of the Canal Authority, requires further application of any such measure; or
2. The Canal Authority considers that the preventive measure applied was not totally effective.

Article 32: The Canal Authority shall, upon request, issue free of charge to a carrier a certificate specifying the sanitary measures applied to a vessel, the parts thereof treated, the methods employed, and the reasons why the measures were applied.

Section Seven Pratique

Article 35: Notwithstanding the provisions of article 7 paragraphs 2 and 3, a vessel granted pratique in a Panamanian port shall:

1. Comply with the requirements and take any additional measures specified in the pratique; and
2. Undergo an inspection to detect communicable diseases, if the Canal Authority has reason to believe that the arrival or departure of such vessel may result in the spread of communicable diseases.

Section Nine Discharging Vessel Wastes, Ballast, and Sewage

Article 40: Vessels shall comply with the following:

1. Vessels shall not discharge or throw into Panama Canal waters any ballast, ashes, boxes, barrels, straw, paper, or other solid matter; nor discharge heavy slops, engine or fire room bilge water, oil, radioactive substances, or any other contaminating substances.
2. Before arrival at a port in Canal waters, vessels shall dispose of all waste in a manner consistent with the requirements of the International Convention for the Prevention of Pollution from Ships 73/78 (MARPOL) and all amendments thereto. If unable to dispose of waste at sea, vessels may use the services available for such purpose.
3. Ballast tanks shall not be discharged into Canal waters.

Vessels wishing to load or unload ballast must have properly fitted chutes or spouts, built and located in such a way that the ballast is not spilled overboard.

4. Discharge of any internal sanitary water or sewage into Canal waters is strictly prohibited, especially in Gatun or Miraflores Lakes.”