



## Law 9 of 1979

The published data is for informational purposes only. The Administrative Department of Public Service is not responsible for the validity of this regulation. We are in the process of continuously updating the content.

LAW 9 OF 1979

(January 24)

*"Whereby Health Measures are enacted."*

THE CONGRESS OF COLOMBIA

[See Article 47, National Decree 3466 of 1982](#)

DECREES:

TITLE I

[Partially regulated by National Decree 1594 of 1984](#) ON

ENVIRONMENTAL PROTECTION

PURPOSE.

ARTICLE 1.- For the protection of the environment, this Law establishes:

- a. The general rules that will serve as the basis for the provisions and regulations necessary to preserve, restore, and improve sanitary conditions as they relate to human health;
- b. The procedures and measures to be adopted for the regulation, legalization, and control of waste and material discharges that affect or may affect the sanitary conditions of the environment.

PARAGRAPH. For the purposes of applying this Law, environmental health conditions shall be understood to be those necessary to ensure human well-being and health.

ARTICLE 2.- When this Law or its regulations refer to water, they shall be understood to mean both public and private water. The rules for protecting water quality shall apply to both.

HEALTH CONTROL OF WATER USE.

ARTICLE 3.- The following options shall be taken into account for the sanitary control of water use, without their enumeration indicating any order of priority.

- a. Human consumption;
- b. Domestic;
- c. Preservation of flora and fauna;
- d. Agricultural and livestock;
- e. Recreational;
- f. Industrial;
- g. Transportation.

ARTICLE 4.- The Ministry of Health shall establish which uses that cause or may cause water pollution shall require its prior authorization prior to the concession or permit granted by the competent authority for the use of the resource.

ARTICLE 5.- The Ministry of Health is empowered to establish the desirable and acceptable characteristics that water must have for the purposes of sanitary control.

ARTICLE 6.- In determining the desirable and acceptable characteristics of water, at least one of the following criteria shall be taken into account:

- a. The preservation of its natural characteristics;
- b. The conservation of certain limits in accordance with human consumption needs and the degree of development envisaged in its area of influence;
- c. The improvement of its characteristics until it reaches the qualities for human consumption and the goals proposed for convenient development in the area of influence.

ARTICLE 7.- All water users must comply with the provisions established by the authority responsible for managing natural resources, as well as the special provisions established by the Ministry of Health.

ARTICLE 8.- The discharge of waste into the water must comply with the regulations established by the Ministry of Health for receiving sources.

ARTICLE 9.- Water may not be used as a final disposal site for solid waste, except in cases authorized by the Ministry of Health.

Liquid waste.

ARTICLE 10.- All discharges of liquid waste must comply with the requirements and conditions established by the Ministry of Health, taking into account the characteristics of the sewerage system and the corresponding receiving source.

ARTICLE 11.- Before installing any industrial facility, the interested party must request and obtain authorization from the Ministry of Health or the entity to which it delegates authority to discharge liquid waste.

ARTICLE 12.- Any building, concentration of buildings, or urban development located outside the radius of action of the public sewer system must be equipped with a private sewer system or other adequate waste disposal system.

ARTICLE 13.- When the storage of raw or processed materials creates the possibility that they may reach the sewerage systems or waterways, the persons responsible for the establishment must take the specific measures necessary to comply with this Law and its regulations.

ARTICLE 14.- The discharge of liquid waste into streets, roads, canals, or storm sewer systems is prohibited.

ARTICLE 15.- Once the water treatment systems have been built, the interested party must inform the Ministry of Health or the delegated entity in order to verify the quality of the effluent.

If, upon construction of a water treatment system, the pre-established limits are not met, the interested party shall make the necessary changes or additions to comply with the required standards.

ARTICLE 16.- When implementing urban planning schemes, the following aspects must be taken into account for the location of industrial areas:

- a. Incidents of liquid industrial waste discharges into municipal sewerage systems;
- b. Degree of treatment required according to the characteristics of the liquid industrial waste and the classification of the receiving sources and their impact on municipal treatment systems;
- c. Possible effects on current or future water use;
- d. Possibility of constructing a treatment and sewerage system for wastewater and rainwater;
- e. Advantages of zoning the industrial area according to the characteristics of the waste produced in the different establishments, in order to facilitate or complement the required treatment processes;
- f. Flow regime of the receiving source.

ARTICLE 17.- The Ministry of Health or the delegated entity shall carry out research to quantify the actual concentration levels of substances and determine their biodegradability scales.

ARTICLE 18.- The Ministry of Health or the delegated entity shall, when it deems appropriate, carry out biodegradability tests on products shipped in the country.

ARTICLE 19.- The Ministry of Health shall regulate the use of non-biodegradable products.

ARTICLE 20.- The Ministry of Health or the entity it delegates may require the modification, removal, or reduction of a specific substance and even prohibit the manufacture, import, and consumption of any substance due to its danger to health and the environment.

ARTICLE 21.- For the purposes of preserving and conserving water quality, the Ministry of Health shall take into account, in addition to the provisions of this Law, Articles 134 and 145 of Decree-Law 2811 of 1974 with regard to the protection of water for human consumption.

#### SOLID WASTE.

ARTICLE 22.- Economic activities that cause solid waste to be carried into existing or planned water or sewerage systems shall be regulated by the Ministry of Health.

ARTICLE 23.- The separation and classification of waste may not be carried out on public roads. The Ministry of Health or the delegated entity shall determine the sites for this purpose.

ARTICLE 24.- No establishment may store waste from its facilities in the open or without protection without prior authorization from the Ministry of Health or the delegated entity.

ARTICLE 25.- Only properties expressly authorized by the Ministry of Health or the delegated entity may be used as waste disposal sites.

ARTICLE 26.- Any container placed on public roads for garbage collection must be used and maintained in such a way as to prevent the proliferation of insects, the production of odors, the dragging of waste, and any other phenomenon that threatens the health of residents or the aesthetics of the place.

ARTICLE 27.- Cleaning companies must collect garbage frequently enough to prevent accumulation or decomposition in the area.

ARTICLE 28.- Waste must be stored in containers or for periods of time that prevent the proliferation of insects or rodents and avoid the appearance of conditions that affect the aesthetics of the place. For this purpose, the regulations indicated in Title IV of this Law must be followed.

ARTICLE 29.- When, due to the location or volume of the waste produced, the entity responsible for cleaning cannot carry out the collection, the person or establishment producing the waste shall be responsible for its collection, transport, and final disposal.

ARTICLE 30.- Infectious solid waste or refuse must be incinerated at the facility where it originates.

ARTICLE 31.- Those who produce waste with special characteristics, under the terms established by the Ministry of Health, shall be responsible for its collection, transport, and final disposal. [See National Decree 2676 of 2000.](#)

ARTICLE 32.- For the purposes of Articles 29 and 31, the services of a third party may be contracted, which must comply with the requirements established for this purpose by the Ministry of Health or the delegated entity.

ARTICLE 33.- Vehicles used for the transport of waste shall meet the technical specifications regulated by the Ministry of Health. Preferably, they shall be closed, waterproof, and low-load vehicles. Only waste that cannot be blown away by the wind due to its special characteristics may be transported in open vehicles.

PARAGRAPH.- For vehicles existing at the time this Law comes into force, the Ministry of Health shall establish a reasonable period of time to allow them to be adapted to the requirements set forth in this article.

ARTICLE 34.- It is prohibited to use open-air burning as a method of waste disposal without prior authorization from the Ministry of Health.

ARTICLE 35.- The Ministry of Health shall regulate all matters relating to the collection, transport, and final disposal of waste throughout Colombian territory, taking into account the provisions of Articles 34 to 38 of Decree-Law 2811 of 1974.

#### DISPOSAL OF EXCRETA.

ARTICLE 36.- All buildings or concentrations thereof located in areas or sectors that lack public or private sewerage systems must be equipped with a sanitary system for the disposal of excreta.

ARTICLE 37.- Sewerage and excreta disposal systems shall be subject to the standards, design specifications, and other

requirements established by the Ministry of Health.

ARTICLE 38.- It is prohibited to place latrines directly over water sources.

ARTICLE 39.- Waste from the cleaning of gravity-fed excreta disposal systems shall comply with the provisions for liquid waste.

ARTICLE 40.- The Ministry of Health shall regulate all matters relating to the handling and disposal of animal excreta.

#### ATMOSPHERIC EMISSIONS.

ARTICLE 41.- The Ministry of Health shall establish air quality standards taking into account the provisions of this Law and Articles 73 to 76 of Decree-Law 2811 of 1974.

ARTICLE 42.- The Ministry of Health shall establish, in accordance with the provisions of Article 41, the standards for the emission of pollutants, whether for individual sources or for a group of sources.

ARTICLE 43. The standards for the emission of atmospheric pollutants refer to the permitted discharge rate of pollutants, taking into account topographical and meteorological factors and other characteristics of the region.

ARTICLE 44.- It is prohibited to discharge pollutants into the air in concentrations and quantities exceeding those established in the relevant standards.

ARTICLE 45.- When emissions into the atmosphere from a source exceed or may exceed the limits established in the regulations, treatment systems shall be applied to enable compliance.

ARTICLE 46.- For the operation, expansion, or modification of any facility that, due to its characteristics, constitutes or may constitute a fixed emission source, authorization must be requested from the Ministry of Health or the entity to which it delegates. Such authorization does not exempt from liability for the effects of pollution produced by the operation of the system.

ARTICLE 47.- In the event of non-compliance with the requirements established in the authorization, the Ministry of Health shall apply the penalties provided for in this Code and in Law 23 of 1973.

ARTICLE 48.- In compliance with the regulations on atmospheric emissions, the Ministry of Health may:

- a. Require the change, modification, or addition of elements that, in its opinion, contribute to improving the quality of discharges from mobile sources;
- b. Prevent the circulation of mobile sources when, due to the characteristics of the model, fuel, or any other factor, there is a possibility that any corrective measure may be ineffective;
- c. Condition the circulation of mobile sources, when necessary, in view of the atmospheric and urban characteristics of the transit areas;
- d. Prevent the transit of mobile sources whose operating characteristics produce noise, either directly or through the removal of any mechanical part.

ARTICLE 49.- The use of fuels containing substances or additives in such a concentration that the resulting atmospheric emissions exceed the limits set by the Ministry of Health shall not be permitted in the national territory.

The Ministry of Health is authorized to confiscate fuel that violates the provisions of this article when it deems necessary for reasons of potential pollution.

#### WATER CATCHMENT AREAS.

ARTICLE 50.- For the purposes of conserving and preserving water intended for human consumption and food production, the Ministry of Health shall be competent to regulate water collection, storage, or treatment systems. It may also prohibit, condition, or limit activities in these areas in accordance with Articles 70 and 137(a) of Decree-Law 2811 of 1974.

#### TITLE II WATER

##### SUPPLY

##### PURPOSE.

ARTICLE 51.- In order to eliminate and prevent the contamination of water for human consumption, this Law establishes:

- a. Regulations on water abstraction and the conditions of the areas near the site where this activity is carried out;
- b. Regulations on channels or pipes that carry water from the source of supply to the purification plant or, in

the absence thereof, to the storage tank;

- c. Regulations on pumping stations and equipment used to raise water from the source of supply or any other part of the supply system;
- d. Regulations on the processes necessary for water purification;
- e. Regulations on water storage and transport to the user, with the exception of aspects relating to plumbing or indoor installation;
- f. Regulations for compliance with the requirements established in this Title.

GENERAL PROVISIONS.

ARTICLE 52.- The design, construction, operation, and maintenance of water supply systems must comply with the standards of the Ministry of Health.

ARTICLE 53.- The entities responsible for delivering drinking water to users shall establish:

- a. Operating and maintenance standards for works, equipment, and auxiliary facilities, including statistical records:
- b. Safety and hygiene standards, regarding which personnel shall be instructed.

ARTICLE 54.- The elements and compounds added to water intended for human consumption and the manner in which they are used must comply with the standards and other regulations of the Ministry of Health.

SURFACE WATER.

ARTICLE 55.- The establishment of urban centers, buildings, or concentrations thereof near sources that provide water for human consumption must comply with the regulations set forth in Title I of this Law.

ARTICLE 56.- Occasional human gatherings near sources of water for human consumption shall not be permitted when they cause or may cause contamination.

ARTICLE 57.- The entities responsible for delivering drinking water to users shall ensure the conservation and control of the use of the supply source, in order to prevent the inappropriate growth of organisms, the presence of animals, and possible contamination from other causes.

GROUNDWATER.

ARTICLE 58.- In order to prevent the contamination of groundwater by: brackish seawater, wastewater or contaminated water, excessive water extraction that reduces the purifying effect as it passes through permeable strata, and other causes, the necessary hygiene and monitoring measures shall be taken to ensure the proper use of drinking water wells.

ARTICLE 59.- The entities responsible for delivering drinking water to users shall exercise sanitary control over the surface above the aquifer and over the recharge areas to prevent contamination.

ARTICLE 60.- All wells must be sealed to prevent the infiltration of surface water and water from formations above the aquifer that may be of undesirable quality.

ARTICLE 61.- All wells must be disinfected before being put into public service, in accordance with the regulations of the Ministry of Health.

ARTICLE 62.- All groundwater use concessionaires shall be subject to the health standards established in this Chapter and its regulations.

RAINWATER.

ARTICLE 63.- When rainwater is used for human consumption, it must meet the potability requirements established by the Ministry of Health or the competent authority.

CONDUCT.

ARTICLE 64.- In all water conveyance systems, pipes, fittings, and other works must be sufficiently protected so that the quality of the water is not impaired. Where possible, the conveyance system must be closed and pressurized.

ARTICLE 65.- Pipes shall be equipped with drains at low points where there is a possibility of sediment build-up.

ARTICLE 66.- The pipes and materials used for the conduits must comply with the standards of the Ministry of Health.

PUMPING STATIONS.

ARTICLE 67.- In water pumping facilities, the necessary precautions must be taken to prevent cross-connections. If pressurized air is used to pump water, the facility must be located so that the air used does not deteriorate its quality.

ARTICLE 68.- The following must be taken into account in pumping stations:

- a. There must be no flooding, and the building must be equipped with adequate drainage for cleaning;
- b. The accumulation of sediment in suction wells must be avoided;
- c. Free access by unauthorized persons must not be allowed;
- d. Fire extinguishing devices must be provided, located in suitable places and clearly marked;
- e. The inspection ports of suction wells must be protected against contamination;
- f. Each station must meet the basic sanitation and occupational health requirements established in this Law and its regulations;
- g. The final disposal of waste must be carried out without danger of contaminating the water pumped by the station and other sources, in accordance with the regulations established in this Law and its regulations.

WATER PURIFICATION.

ARTICLE 69.- All water for human consumption must be potable regardless of its source. See [National Decree 475 of 1998](#) ARTICLE 70.- The Ministry of Health is responsible for issuing provisions on water purification.

ARTICLE 71.- After the water has been made potable, it must be transported in such a way as to prevent contamination.

ARTICLE 72.- In projects for the construction and expansion of water treatment plants, the regulations issued by the Ministry of Health in this regard must be complied with.

ARTICLE 73.- The Ministry of Health is responsible for approving programs for the fluoridation of water for human consumption, as well as the compounds used to carry it out, their transport, handling, storage, and application, and the methods for waste disposal.

PARAGRAPH.- All water treatment plants shall comply with hygiene and safety standards for operation and maintenance.

ARTICLE 74.- Substances used in purification processes must be transported, handled, and stored in accordance with the regulations established in Title III of this Law and other relevant regulations.

ARTICLE 75.- Household connections shall be designed and installed in accordance with the standards established by the Ministry of Health.

ARTICLE 76.- Aqueduct management entities shall periodically verify the sanitary conditions of distribution networks by taking water samples for analysis from tanks, hydrants, service connections, and pipes.

ARTICLE 77.- Hydrants and dead ends in water distribution networks must be opened as often as necessary to remove sediment. Hydrants must be checked periodically to ensure they are functioning properly.

ARTICLE 78.- The Ministry of Health is responsible for regulating the storage and distribution of water for human consumption.

ARTICLE 79.- The Ministry of Health is empowered to issue regulations governing aspects not specifically covered in this Title.

TITLE III

OCCUPATIONAL

HEALTH

PURPOSE.

ARTICLE 80.- In order to preserve, conserve, and improve the health of individuals in their occupations, this Law establishes rules aimed at:

- a. Prevent any damage to people's health resulting from working conditions;
- b. Protect individuals against risks related to physical, chemical, biological, organic, mechanical, and other agents that may affect individual or collective health in the workplace;
- c. Eliminate or control agents harmful to health in the workplace;
- d. Protect the health of workers and the population against risks caused by radiation;

e. Protect workers and the population against health risks arising from the production, storage, transport, sale, use, or disposal of substances hazardous to public health. See [National Decree 614 of 1984](#), which establishes the basis for the organization and administration of occupational health in the country.

GENERAL PROVISIONS.

ARTICLE 81.- The health of workers is an indispensable condition for the socio-economic development of the country; its preservation and conservation are activities of social and health interest in which the Government and private individuals participate.

ARTICLE 82.- The provisions of this title are applicable in all workplaces and to all types of work, regardless of the legal form of their organization or provision, and regulate actions aimed at promoting and protecting people's health.

All employers, contractors, and workers shall be subject to the provisions of this title and its regulations.

PARAGRAPH.- Contractors who employ workers for this sole reason acquire the status of employers for the purposes of this title and its regulations.

ARTICLE 83.- The Ministry of Health is responsible for:

- a. Establishing, in cooperation with other State agencies related to these matters, technical and administrative regulations aimed at protecting, preserving, and improving the health of workers in the national territory, supervising their implementation, and enforcing the provisions of this title and the regulations issued in accordance with it;
- b. Promoting and carrying out research, control, surveillance, and protection of the health of working people, as well as the corresponding educational activities, in cooperation with other State agencies, private institutions, employers, and workers;
- c. Determine the requirements for the sale, use, and handling of substances, equipment, machinery, and devices that may affect the health of workers. In addition, it may prohibit or limit any of these activities when they pose a serious danger to the health of workers or the general population.

ARTICLE 84.- All employers are required to:

- a. Provide and maintain a work environment with adequate hygiene and safety conditions, establish work methods with minimal health risks within production processes;
- b. Comply with and enforce the provisions of this Law and other legal regulations relating to Occupational Health;
- c. Be responsible for a permanent occupational health, hygiene, and safety program designed to protect and maintain the health of workers in accordance with this Law and its regulations;
- d. Adopt effective measures to protect and promote the health of workers through the efficient installation, operation, and maintenance of the control systems and equipment necessary to prevent illnesses and accidents in the workplace;
- e. Record and report accidents and illnesses that occur in the workplace, as well as the activities carried out to protect the health of workers;
- f. Provide the competent authorities with the facilities required to carry out inspections and investigations they deem necessary within the facilities and work areas;
- g. Carry out educational programs on the health risks to which workers are exposed and on methods of prevention and control. See [National Decree 614 of 1984](#), which establishes the basis for the organization and administration of occupational health in the country.

PARAGRAPH.- Self-employed workers are required to adopt, during the performance of their work, all preventive measures designed to adequately control the risks to which their own health or that of third parties may be exposed, in accordance with the provisions of this Law and its regulations.

ARTICLE 85.- All workers are required to:

- a) Comply with the provisions of this Law and its regulations, as well as with the rules of the regulations on medicine, hygiene, and safety that are established;
- b) Use and maintain risk control devices and personal protective equipment properly and keep workplaces tidy and clean;
- c) Collaborate and participate in the implementation and maintenance of health risk prevention measures adopted in the workplace.

ARTICLE 86.- The Government shall issue complementary regulations aimed at ensuring the safety of workers in the production of substances, equipment, instruments, and vehicles, in order to prevent the risks of accidents and illness.

ARTICLE 87.- Persons providing occupational health services to employers or workers shall be subject to the supervision and monitoring of the Ministry of Health or the entity to which it delegates.

ARTICLE 88.- Any person entering any workplace must comply with the health and safety standards established by this Law, its regulations, and the health, safety, and medicine regulations of the respective company.

ARTICLE 89.- In order for workplaces to operate, a license issued in accordance with the provisions of this Law and its regulations is required.

#### BUILDINGS INTENDED FOR USE AS WORKPLACES.

ARTICLE 90.- Permanent or temporary buildings used as workplaces shall comply with the provisions on location and construction established in this Law, its regulations, and the urban zoning regulations established by the competent authorities.

ARTICLE 91.- Industrial establishments shall have an adequate layout of their premises, with specific areas for different uses and activities, clearly separated, delimited, or demarcated and, when the activity so requires, shall have separate spaces for raw material storage, processing, special processes, finished product storage, and other sections required for hygienic and safe operation.

ARTICLE 92.- The floors of workplaces and yards shall generally be impermeable, solid, and non-slip; they shall be kept in good condition and, as far as possible, dry. When wet processes are used, sufficient slope and drainage shall be provided for complete drainage of liquids; if necessary, platforms or raised floors shall be installed to allow for dry work areas that do not pose a risk to worker safety.

ARTICLE 93.- Circulation areas shall be clearly marked, sufficiently wide for the safe passage of persons, and provided with adequate signage and other necessary measures to prevent accidents.

ARTICLE 94.- All openings in walls and floors, forums, stairs, freight elevators, platforms, terraces, and other elevated areas where there may be a risk of falls must have the signage, protection, and other features necessary to prevent accidents.

ARTICLE 95.- In multi-level buildings, there shall be fixed stairs or ramps with the appropriate technical specifications and safety standards indicated in the regulations of this Law.

ARTICLE 96.- All workplaces shall have a sufficient number of exit doors with appropriate characteristics to facilitate the evacuation of personnel in the event of an emergency or disaster, which shall not be obstructed or locked during working hours. Access routes to emergency exits shall be clearly marked.

ARTICLE 97.- Companies engaged in extractive, agricultural, and transportation activities, and those that by their nature require work sites other than buildings, shall be subject to the requirements established in this Law.

#### ENVIRONMENTAL CONDITIONS.

ARTICLE 98.- In any workplace where procedures, equipment, machines, materials, or substances are used that give rise to environmental conditions that may affect the health and safety of workers or their normal ability to work, the necessary hygiene and safety measures must be adopted to effectively control harmful agents, and the corresponding prevention and control procedures must be applied.

ARTICLE 99.- In workplaces where it is not possible to keep harmful agents within the limit values referred to in Article 110, once the appropriate medical, hygiene, and safety measures have been applied, complementary methods of personal protection, limitation of human work, and others determined by the Ministry of Health must be adopted.

ARTICLE 100.- The Ministry of Health shall establish methods of sampling, measurement, analysis, and interpretation to assess environmental conditions in workplaces.

#### CHEMICAL AND BIOLOGICAL AGENTS.

ARTICLE 101.- In all workplaces, the necessary measures shall be taken to prevent the presence of chemical and biological agents in the air in concentrations, quantities, or levels that pose risks to the health and well-being of workers or the general population.

ARTICLE 102.- The risks arising from the production, handling, or storage of hazardous substances shall be disclosed to potentially exposed personnel, including clear labeling of the products and demarcation of the areas where they are handled, with information on preventive and emergency measures in cases of environmental contamination or poisoning.

ARTICLE 103.- When biological agents or materials that habitually contain them are processed, handled, or researched, all necessary control measures shall be adopted to prevent health alterations derived from them.

ARTICLE 104.- The control of chemical and biological agents and, in particular, their disposal shall be carried out in such a way as not to cause environmental contamination even outside the workplace, in accordance with the provisions of Title 1 of this Law.

PHYSICAL AGENTS.

ARTICLE 105.- All workplaces shall have sufficient lighting, in terms of quantity and quality, to prevent harmful effects on workers' health and to ensure adequate visibility and safety conditions.

ARTICLE 106.- The Ministry of Health shall determine the levels of noise, vibration, and pressure changes to which workers may be exposed.

ARTICLE 107.- Work methods or conditions involving excessive heat gain or loss that may cause harmful effects on workers' health are prohibited.

ARTICLE 108.- In workplaces where conditions or methods exist that may affect workers' health due to cold or heat, all necessary measures shall be taken to control and maintain the factors of heat exchange between the environment and the worker's body, within the limits established by the regulations of this Law.

ARTICLE 109.- All workplaces must have ventilation to ensure a permanent supply of clean, fresh air in sufficient quantities.

LIMIT VALUES IN WORKPLACES.

ARTICLE 110.- The Ministry of Health shall set acceptable limit values for concentrations of substances in the air or for environmental conditions in workplaces, as well as the maximum levels of exposure to which workers may be subject.

ORGANIZATION OF OCCUPATIONAL HEALTH IN THE WORKPLACE.

ARTICLE 111.- An Occupational Health program shall be established in every workplace, within which activities aimed at preventing work-related accidents and illnesses shall be carried out. The Ministry of Health is responsible for issuing regulations on the organization and operation of occupational health programs. The creation of medical, hygiene, and industrial safety committees with representation from employers and workers may be required.

INDUSTRIAL SAFETY. MACHINERY,  
EQUIPMENT, AND TOOLS.

ARTICLE 112.- All machinery, equipment, and tools must be designed, constructed, installed, maintained, and operated in such a way as to avoid possible causes of accidents and illness.

BOILERS AND PRESSURE VESSELS.

ARTICLE 113.- Boilers, compressed gas cylinders, and other pressure vessels, their accessories, and attachments shall be designed, constructed, and operated in accordance with the technical and safety standards and regulations established by the competent authorities.

ARTICLE 114.- Every workplace shall have trained personnel, methods, equipment, and materials that are adequate and sufficient for fire prevention and extinguishing.

ARTICLE 115.- In order to comply with the provisions of this Chapter in the manufacture, storage, handling, transport, and trade of flammable or explosive substances, the Ministry of Health, in agreement with the competent authorities, shall issue the relevant regulations.

ARTICLE 116.- Firefighting equipment and devices must be designed, constructed, and maintained so that they can be used immediately with maximum efficiency. Manufacturers, distributors, and maintenance agencies for such equipment shall be subject to supervision by the Ministry of Health or the authority delegated by it and shall guarantee the effectiveness of the equipment.

ELECTRICAL RISKS.

ARTICLE 117.- All electrical equipment, tools, installations, and networks shall be designed, constructed, installed, maintained, operated, and marked in such a way as to prevent fire hazards and avoid contact with live parts.

ARTICLE 118.- Workers who, due to the nature of their work, may be exposed to electrical hazards shall be provided with appropriate work materials and personal protective equipment to prevent such hazards.

FURNACES AND COMBUSTION EQUIPMENT.

ARTICLE 119.- Furnaces and combustion equipment shall be designed, constructed, installed, maintained, and operated in such a way as to control accidents and possible health risks.

HANDLING, TRANSPORT, AND STORAGE OF MATERIALS.

ARTICLE 120.- Vehicles, hoisting equipment, conveyor belts, and other elements for handling and transporting materials must be maintained and operated safely.

ARTICLE 121.- The storage of materials or objects of any kind must be done without creating risks to the health or well-being of workers or the community.

PERSONAL PROTECTIVE EQUIPMENT.

ARTICLE 122.- All employers are required to provide each worker, at no cost to the worker, with personal protective equipment in a quantity and quality commensurate with the actual or potential risks existing in the workplace.

ARTICLE 123.- Personal protective equipment must comply with official standards and other technical and safety regulations approved by the Government.

ARTICLE 124.- The Ministry of Health shall regulate the provision, use, and maintenance of personal protective equipment.

PREVENTIVE MEDICINE AND BASIC SANITATION.

PREVENTIVE MEDICINE.

ARTICLE 125.- All employers shall be responsible for preventive medicine programs in workplaces where activities that may pose risks to workers' health are carried out. Such programs shall aim to promote, protect, restore, and rehabilitate workers' health, as well as to place workers in occupations suited to their physiological and psychological constitution. See [National Decree 614 of 1984](#) The basis for the organization and administration of Occupational Health in the country is determined.

ARTICLE 126.- Preventive medicine programs may be exclusive to one company or carried out jointly with others. In any case, their organization and operation shall be subject to the regulations established by the Ministry of Health. See [National Decree 614 of 1984](#). The bases for the organization and administration of Occupational Health in the country are determined.

ARTICLE 127.- Every workplace shall have the necessary facilities and resources to provide first aid to workers.

BASIC SANITATION.

ARTICLE 128.- The supply of food and water for human consumption, and the processing of industrial water, excreta, and waste in the workplace, shall be carried out in such a way as to guarantee the health and well-being of workers and the general population.

ARTICLE 129.- The treatment and disposal of waste containing toxic substances must be carried out using procedures that do not pose a risk to the health of workers or pollute the environment, in accordance with the provisions of this Law and other relevant regulations.

HAZARDOUS SUBSTANCES - PESTICIDES - FIREWORKS. HAZARDOUS SUBSTANCES.

ARTICLE 130.- In the import, manufacture, storage, transport, trade, handling, or disposal of hazardous substances, all necessary measures and precautions shall be taken to prevent damage to human or animal health or the environment, in accordance with the regulations of the Ministry of Health.

ARTICLE 131.- The Ministry of Health may prohibit the use of or establish restrictions on the import, manufacture, transport, storage, trade, and use of a substance or product when it is considered highly dangerous for reasons of public health.

ARTICLE 132.- Persons responsible for the transport, use, or disposal of hazardous substances during which damage to public health or the environment occurs shall be liable for the damage.

ARTICLE 133.- The Ministry of Health shall regulate matters relating to the classification of hazardous substances, requirements for information, packaging, containers, transport, labeling, and other standards required to prevent the damage that such substances may cause.

ARTICLE 134.- The Ministry of Health shall determine the hazardous substances that must be registered.

ARTICLE 135.- The Ministry of Health shall carry out, promote, and coordinate the educational, research, and control actions necessary for the adequate protection of individual and collective health against the effects of hazardous substances.

PESTICIDES.

ARTICLE 136.- The Ministry of Health shall establish standards for the protection of human health and safety against risks arising from the manufacture, storage, transport, trade, use, or disposal of pesticides.

arise from the manufacture, storage, transport, trade, use, or disposal of pesticides.

ARTICLE 137. Health registration of pesticide products. The National Institute for Food and Drug Surveillance (INVIMA) shall issue health registrations allowing the import, manufacture, or trade of pesticides, except for those used in agriculture and livestock, subject to compliance with the requirements set forth in the provisions in force. Likewise, INVIMA shall authorize the renewal or modification of such registrations and shall approve the labels, packaging, and advertising of the aforementioned products.

PARAGRAPH . The health registration of pesticides for agricultural and livestock use must be carried out before the Colombian Agricultural Institute (ICA).

[\(Amended by Article 87 of Decree 2106 of 2019\)](#)

ARTICLE 138.- Registration approved by the Ministry of Health for pesticides intended for agricultural use does not exempt interested parties from complying with the provisions established by the agricultural authorities for such products.

[\(Repealed by Art. 158 of Decree 2106 of 2019\)](#)

ARTICLE 139.- The Ministry of Health may authorize the importation or manufacture of pesticide samples for research, experimentation, or registration purposes. When experimentation with these products may cause harm to the health of workers, the population, or the environment, such activity must be subject to the supervision of the health authorities, which shall require the adoption of the necessary measures to prevent or remedy such harm.

ARTICLE 140.- In any activity involving the handling of pesticides, any situation that allows contact or proximity within the same premises or vehicle of these products with food, drugs, medicines, or any other substance or object whose use, once contaminated, represents a risk to human health is prohibited.

ARTICLE 141.- Advertising of pesticides must comply with the characteristics indicated in the application that served as the basis for obtaining the product registration. Terminology referring to toxicity to humans must adhere to that used in the toxicological classification.

ARTICLE 142.- When applying pesticides, all appropriate measures must be taken to avoid risks to the health of the persons engaged in that activity and the occupants of the areas or spaces treated, as well as contamination of products for human consumption or the environment in general, in accordance with the regulations issued by the Ministry of Health.

ARTICLE 143.- Persons engaged in the commercial application of pesticides must have an operating license issued by the health authorities.

ARTICLE 144.- Waste from establishments where pesticides are manufactured, formulated, packaged, or handled, as well as waste from application operations, shall not be discharged directly into watercourses or reservoirs, the soil, or the air. It shall be treated and disposed of in such a way as to avoid health risks.

#### FIREWORKS.

ARTICLE 145.- The manufacture of the following pyrotechnic articles shall not be permitted:

- a. Those whose composition includes white phosphorus or other substances prohibited for this purpose by the Ministry of Health;
- b. Detonators whose main purpose is to produce noise without light effects.

The Ministry of Health may exempt from compliance with the provisions of this section those items that, subject to compliance with safety requirements, are used for sports or other specific purposes.

ARTICLE 146.- The sale to the public and use of pyrotechnic articles other than those mentioned in the previous article requires authorization from the Ministry of Health, which may only be issued upon compliance with the safety requirements and other requirements established for this purpose in the regulations of this Law.

ARTICLE 147.- The location, construction, and operation of establishments intended for the manufacture of pyrotechnic articles must comply with the regulations established by the Government.

ARTICLE 148.- Pyrotechnic articles imported or manufactured in the country must comply with current technical safety standards.

#### HEALTH RADIOPHYSICS.

ARTICLE 149.- All forms of radiant energy, other than ionizing radiation originating in the workplace, must be subject to control procedures to avoid levels of exposure that are harmful to the health or efficiency of workers. Whenever environmental control measures are not sufficient, the necessary personal and medical protection measures must be applied.

ARTICLE 150.- For the performance of any activity involving the handling or possession of sources of ionizing radiation, employers, owners, or users shall adopt all necessary measures to ensure the protection of the health and safety of persons directly or indirectly exposed and of the general population.

ARTICLE 151.- Issuance of licenses for the provision of radiation protection and quality control services and for medical, veterinary, industrial, or research practices. Any natural or legal person providing radiation protection and quality control services or using ionizing radiation generating equipment must have a license issued by the departmental or district health secretariat of Bogotá, Barranquilla, and Cartagena de Indias or the entity in charge of such competences, in accordance with the regulations issued by the Ministry of Health and Social Protection.

Such entities shall inspect, monitor, and control the licensees referred to in this article, adopt health and safety measures, carry out procedures, and impose the appropriate sanctions, in accordance with the provisions of Laws 9 of 1979 and 1437 of 2011 or the provisions that modify or replace them.

TRANSITIONAL PARAGRAPH. Requests related to licenses for the provision of radiation protection and quality control services that are pending before the Ministry of Health and Social Protection on the date of entry into force of this decree shall be resolved by that entity.

(Amended by Art. 91 of Decree 2106 of 2019)

ARTICLE 152.- The Ministry of Health shall establish the rules and regulations required for the protection of human health and safety against the risks arising from ionizing radiation and shall adopt the necessary measures for their enforcement.

ARTICLE 153.- The issuance of regulations related to the import, exploitation, processing, or use of radioactive materials and radioisotopes shall be carried out after consultation with national technical agencies on nuclear matters.

ARTICLE 154.- A license from the Ministry of Health is required for the importation of X-ray producing equipment.

#### TITLE IV

#### Partially regulated by National Decree 2092 of 1986 BUILDING

#### REMEDIATION

#### PURPOSE.

ARTICLE 155.- This title of the present Law establishes the sanitary standards for the prevention and control of biological, physical, or chemical agents that alter the characteristics of the external environment of buildings to the point of making it dangerous to human health.

#### CLASSIFICATION OF BUILDINGS.

ARTICLE 156.- For the purposes of building sanitation, buildings are classified as follows:

- a. Permanent housing;
- b. Temporary housing facilities;
- c. Educational and barracks facilities;
- d. Public entertainment establishments;
- e. Public entertainment establishments;
- f. Industrial establishments;
- g. Commercial establishments;
- h. Prisons;
- i. Hospital and similar establishments.

PARAGRAPH.- When this chapter refers to "building" or "buildings," it refers to all of the above classifications.

ARTICLE 157.- The Ministry of Health or the entity delegated by it may establish the classification of buildings in which multiple activities are carried out.

#### LOCATION.

ARTICLE 158.- All buildings shall be located in places that do not present pollution problems, with the exception of industrial establishments. To facilitate compliance with this measure, the zoning guidelines existing in each city shall be followed, provided that they do not

contravene the regulations established in this Law and its regulations.

ARTICLE 159.- The environmental protection standards established in this Law and its regulations shall apply to the location of industrial establishments.

ARTICLE 160.- Buildings shall be located on land that allows for the drainage of rainwater, either naturally or through drainage systems.

ARTICLE 161.- Before constructing buildings in places that receive water drained from higher ground, the necessary defenses must be erected to prevent flooding.

ARTICLE 162.- Buildings shall be located in areas away from ditches, ravines, swampy land, or areas that flood with seawater.

ARTICLE 163.- Buildings shall not be constructed on land filled with garbage, which may cause health and hygiene problems, unless such land has been properly prepared.

ARTICLE 164.- Buildings shall be constructed in locations that do not pose a danger due to natural accidents or conditions inherent to human activities. If these conditions cannot be avoided, the necessary defenses shall be constructed to ensure the safety of the buildings.

ARTICLE 165.- Buildings shall be constructed in locations that have adequate public utilities and complementary services for water supply. If the service is insufficient, other services that comply with the provisions of this Law and its regulations may be used.

ARTICLE 166.- Buildings must be constructed in locations that have adequate waste disposal systems, in accordance with the regulations set forth in Title I of this Law and its regulations.

ARTICLE 167.- Any building that does not have a residential waste collection system must be provided with a means of final disposal of waste, in accordance with the provisions of Title I of this Law and its regulations.

ARTICLE 168.- Before beginning the construction of any building, the chosen site shall be cleaned up. In the event of an infestation by rodents or other pests, they shall be exterminated and the necessary defenses shall be built to ensure the safety of the building against such risks.

#### BASIC LAYOUT FOR BUILDINGS.

ARTICLE 169.- The Ministry of Health or the delegated entity shall establish the minimum areas and volumes of the spaces that make up the buildings.

ARTICLE 170.- Only those spaces below ground level that comply with the regulations established in this Law and its regulations shall be considered habitable.

#### BEDROOMS.

ARTICLE 171.- The number of persons per bedroom shall be in accordance with the conditions and capacity of the bedroom.

#### KITCHEN.

ARTICLE 172.- All kitchen facilities must comply with the safety standards required by the Ministry of Health or the delegated entity.

ARTICLE 173.- The area and equipment of the kitchen must guarantee compliance with minimum sanitary requirements and be in accordance with the services provided by the building.

ARTICLE 174.- The storage of hazardous substances in kitchens or spaces where food is stored, handled, or served is prohibited.

#### BUILDING STRUCTURE. PLUMBING.

ARTICLE 175.- The interior installations of buildings must be designed and constructed in such a way as to preserve water quality and guarantee its supply without noise, in sufficient quantity and pressure at the points of consumption.

ARTICLE 176.- The water supply for buildings must be calculated based on the needs to be met and the services to be provided and must guarantee compliance with minimum sanitary requirements.

ARTICLE 177.- Drainage systems must be designed and constructed in such a way as to allow rapid runoff of liquid waste

, prevent obstructions, prevent the passage of gases and animals from the public network into buildings, prevent emptying, liquid escape, or the formation of deposits inside pipes, and, finally, prevent water pollution. No drain shall be connected or interconnected with drinking water tanks and systems.

ARTICLE 178.- All buildings located within an area served by a public water supply system must be connected to it, within the time frame and under the conditions specified by the entity in charge of control.

ARTICLE 179.- No sanitary appliance may produce backflow pollution during operation.

ARTICLE 180.- Pipes used for interior installations in buildings shall comply with the quality and identification requirements established by the entity in charge of control.

ARTICLE 181.- The entity administering water and/or drainage services for buildings shall construct the corresponding household connections.

ARTICLE 182.- The maintenance of the internal sanitary installation, from the register or regulating device, is the responsibility of the user. The use of this register or regulating device shall be mandatory.

ARTICLE 183.- Each floor of a building shall be equipped with a device for interrupting the water supply and distribution system. In addition, the entity in charge of control may establish the obligation to install additional equipment in those areas of the same floor that require it.

ARTICLE 184.- It is prohibited to connect a private system to a public drinking water supply system unless prior approval is obtained from the entity in charge of control.

ARTICLE 185.- All sanitary appliances must be equipped with a hydraulic seal trap and covered with waterproof, smooth, and easy-to-clean material.

ARTICLE 186.- Toilets must function in such a way as to ensure that they are permanently clean after each flush. Sanitary appliances must comply with the requirements established by the entity in charge of control.

ARTICLE 187.- Sinks and dishwashers must be equipped with adequate devices to prevent solids from entering the drainage systems.

ARTICLE 188.- In all buildings, the number and type of sanitary fixtures shall be in accordance with the number and requirements of the persons served, in accordance with the provisions of this Law and its regulations.

ARTICLE 189.- It is prohibited to connect waste disposal units to plumbing systems without prior approval from the entity in charge of control.

ARTICLE 190.- When waste contains solids or liquids that may affect the functioning of building or public collectors, separators shall be installed in locations that allow for their cleaning.

ARTICLE 191.- The Ministry of Health or the entity to which it delegates may regulate the conditions of the effluent of entities whose special characteristics so require for the protection of the health of the community.

ARTICLE 192.- All waste disposal systems shall be equipped with an adequate ventilation system to prevent siphoning.

ARTICLE 193.- The use of the spaces shall determine the area to be covered, the type and quality of the materials to be used on each floor, according to the criteria determined for this purpose by the competent authority.

ARTICLE 194.- Floors shall be equipped with systems that facilitate the drainage of liquids that may accumulate on them, when required.

#### WALLS AND CEILINGS.

ARTICLE 195.- The use of each space shall determine the area to be covered on the walls and ceilings according to the criteria determined for this purpose by the competent authority.

#### LIGHTING AND VENTILATION.

ARTICLE 196.- Lighting and ventilation in building spaces shall be appropriate for their use, following the criteria of the corresponding regulations.

ARTICLE 197.- All sanitary facilities shall have adequate ventilation systems.

#### GARBAGE.

ARTICLE 198.- All buildings shall be equipped with a waste storage system that prevents access and proliferation of insects, rodents, and other pests.

ARTICLE 199.- Waste storage containers shall be made of waterproof material, equipped with a lid, and light enough to be easily handled.

ARTICLE 200.- The Ministry of Health or the delegated entity shall regulate the methods of waste incineration in buildings.

PROTECTION AGAINST RODENTS AND OTHER PESTS.

ARTICLE 201.- The Ministry of Health or the delegated entity shall regulate the control of rodents and other pests.

NOISE PROTECTION.

ARTICLE 202.- The intensity of sounds or noises in buildings shall be governed by the provisions of this Law and its regulations.

PROTECTION AGAINST ACCIDENTS.

ARTICLE 203.- All buildings shall be constructed with structures, materials, installations, and services that reduce any risk of accidents.

ARTICLE 204.- When all or part of a building presents a danger of collapse, the competent authority shall order its demolition, adaptation, and other measures it deems appropriate.

ARTICLE 205.- All buildings shall be equipped with the necessary elements to control and combat fire accidents in accordance with the regulations in force in this regard.

ARTICLE 206.- Any building or space that may pose a danger to people must be provided with adequate signage.

GENERAL CLEANLINESS OF BUILDINGS.

ARTICLE 207.- All buildings must be kept in good condition and clean to avoid health and hygiene problems.

ARTICLE 208.- The use of any unoccupied building requires prior sanitary conditioning for its use in accordance with the terms of this Law and its regulations.

ARTICLE 209.- In all buildings, it is prohibited to carry out activities that affect or may affect the well-being or health of neighbors or the community to which they belong.

ARTICLE 210.- The Ministry of Health or the delegated entity shall regulate aspects related to health protection in all types of establishments.

EDUCATIONAL AND BARRACKS ESTABLISHMENTS.

ARTICLE 211.- The total area of buildings in educational and barracks establishments shall be in accordance with the number of people they are designed to accommodate on a regular basis.

ARTICLE 212.- Buildings for educational and military establishments shall have complete and sufficient sanitary facilities, in accordance with their use.

ARTICLE 213.- In buildings intended for educational and barracks facilities, the systems used to collect water shall not pose a risk of contamination.

ARTICLE 214.- All educational and barracks establishments must have adequate space for the provision of first aid.

PUBLIC ENTERTAINMENT VENUES.

ARTICLE 215.- Buildings used for public entertainment must have a sufficient number of entrances and exits to ensure their regular operation. In addition, they must have a sufficient number of doors or emergency exits in accordance with their capacity, which will allow for the easy and rapid evacuation of the public and will be properly marked.

ARTICLE 216.- The circulation areas of buildings for public entertainment must be constructed and maintained in such a way as to allow for easy and rapid evacuation.

PARAGRAPH.- These establishments shall have an independent and automatic lighting system for all doors, corridors, or hallways of the general and emergency exits.

ARTICLE 217.- Temporary installations in buildings for public performances must adequately protect spectators and performers from the risks inherent in the performance.

ARTICLE 218.- All establishments for public entertainment must have a first aid kit and, when required, shall be provided with an adequate space with the necessary nursing equipment.

PUBLIC ENTERTAINMENT ESTABLISHMENTS.

ARTICLE 219.- The areas of buildings for public entertainment establishments must be constructed and maintained in such a way as to allow for easy and rapid evacuation.

ARTICLE 220.- Prior to using swimming pools or similar facilities, all persons must take a general bath.

ARTICLE 221.- The Ministry of Health or the delegated entity shall regulate all matters relating to the construction and maintenance of swimming pools and similar facilities.

ARTICLE 222.- The water used in swimming pools must comply with the physical, chemical, and bacteriological characteristics established by the Ministry of Health or the entity in charge of control.

ARTICLE 223.- The buildings of all public entertainment establishments shall have a sufficient number of doors or emergency exits in accordance with their capacity, which shall allow for easy and rapid evacuation and shall be properly marked.

ARTICLE 224.- All swimming pools shall have visible markings on both sides indicating the minimum depth, maximum depth, and the location of any change in slope.

ARTICLE 225.- Swimming pool diving platforms shall be equipped with ladders protected by railings. The surfaces of ladders and diving boards shall not pose a slipping hazard to users.

ARTICLE 226.- All swimming pools shall be equipped with ladders to allow users to enter and exit the pool.

ARTICLE 227.- All establishments with swimming pools or similar facilities for public recreation must have personnel trained in first aid and lifesaving, as well as a first aid kit for emergencies.

ARTICLE 228.- Both the personnel providing service in swimming pools and similar facilities and the users must not suffer from diseases that can be transmitted to other people through direct or indirect contact with water or commonly used items.

ARTICLE 229.- All swimming pools shall have the necessary equipment for water control.

ARTICLE 230.- All buildings for public entertainment establishments with swimming pools must keep a daily logbook of operations, which shall be presented to the competent authorities upon request and in which the following shall be recorded:

- a. Number of users;
- b. Volume of water recirculated or supplied to the swimming pool;
- c. Types and quantities of disinfectants applied to water;
- d. Results of disinfectant measurements at least every two hours;
- e. Expiration dates, cleaning, and commissioning of the pool;
- f. Date of washing and disinfection of floors;
- g. Dates of pesticide application in dressing rooms, cloakrooms, and other facilities;
- h. In addition, for recirculating pools, the dates and times of filter washing and the quantities of coagulants used shall be indicated.

INDUSTRIAL FACILITIES.

ARTICLE 231.- When the nature of the liquid waste produced in an industrial establishment does not allow for its disposal in public collectors, systems must be built to ensure its final disposal.

PARAGRAPH.- Waste resulting from industrial processes shall be properly treated before final disposal when its special characteristics so require.

ARTICLE 232.- Establishments dedicated to the keeping of animals shall be provided with adequate facilities for the storage of waste when it is used for feeding. Both uneaten waste and animal excrement shall be disposed of in accordance with the provisions of Title I of this Law.

COMMERCIAL ESTABLISHMENTS.

ARTICLE 233.- The provisions of this Law applicable to buildings for commercial establishments shall also apply to areas of other establishments that engage in commerce in one form or another.

ARTICLE 234.- The circulation areas of buildings for commercial establishments shall be constructed and maintained in such a way as to allow for easy and rapid evacuation of the establishment.

ARTICLE 235.- The Ministry of Health or the entity it delegates shall regulate the number and location of sanitary facilities in commercial establishments.

ARTICLE 236.- All commercial establishments shall have a sufficient number of doors or emergency exits, in accordance with their capacity, which shall allow for easy and rapid evacuation and shall be properly marked.

STORAGE OF WASTE.

ARTICLE 237.- In all designs and constructions of marketplaces, specific sites shall be provided that are adequately equipped for the storage of waste produced.

ARTICLE 238.- Marketplaces that, upon entry into force of this Law, do not comply with the provisions of the previous article, shall be adapted in accordance with the terms and deadlines indicated by the entity in charge of control.

PRISON FACILITIES.

ARTICLE 239.- The total area of buildings for prison establishments shall be in accordance with the number of people they are designed to house on a regular basis and shall have complete and sufficient sanitary facilities, in accordance with needs.

ARTICLE 240.- All prison facilities shall have a first aid kit and adequate space with the necessary nursing equipment.

HOSPITALS AND SIMILAR FACILITIES.

ARTICLE 241.- The Ministry of Health shall regulate the sanitary conditions that buildings for hospitals and similar establishments must meet in order to ensure the protection of the health of their workers, users, and the general population.

ARTICLE 242.- The Ministry of Health shall regulate the final disposal of waste in hospitals, when it deems necessary due to its special characteristics.

TITLE V

[Partially regulated by National Decree 2278 of 1982, partially regulated by National Decree 2742 of 1991, partially regulated by Resolution of the Ministry of Health 604 of 1993](#)

FOOD

PURPOSE.

ARTICLE 243.- This title establishes the specific rules to which the following must comply:

- a. Food, additives, beverages, or corresponding raw materials, or those that are produced, handled, processed, transformed, divided, preserved, stored, transported, sold, consumed, imported, or exported;
- b. Industrial and commercial establishments where any of the activities mentioned in this article are carried out, and
- c. The personnel and transportation related to them.

PARAGRAPH.- The term "beverages" includes alcoholic beverages, non-alcoholic non-food beverages, stimulants, and others determined by the Ministry of Health.

OPERATING REQUIREMENTS.

NOTE: (This Title V was regulated by National Decree 547 of 1996. Published in Official Gazette No. 42,748.

ARTICLE 244.- For the installation and operation of industrial or commercial establishments related to food or beverages, a health license issued in accordance with the provisions of this Law shall be required.

ARTICLE 245.- Commercial and industrial establishments shall comply with the regulations established for both.

ARTICLE 246.- Only establishments with a health license may manufacture, produce, process, divide, handle, store, sell, import, or export food or beverages.

ARTICLE 247.- In order to carry out activities involving the production, preparation, processing, portioning, preservation, storage, sale, or consumption of food or beverages and other products in the same establishment, prior authorization from the Ministry of Health or the authority delegated for that purpose is required.

PARAGRAPH. Each area designated for one of the activities mentioned in this article shall comply with the regulations established for the activity carried out therein.

ARTICLE 248.- Industrial establishments shall be located in areas isolated from any source of unsanitary conditions and suitably separated from residential areas.

ARTICLE 249.- The industrial or commercial establishments referred to in this title shall comply with the requirements established in this Law and, in addition, the following:

- a. Have sufficient space to allow for proper operation and maintain the premises and products in a hygienic condition;
- b. The floors of production or packaging areas shall be made of impermeable, washable, non-porous, and non-absorbent material, and the walls shall be covered with materials of similar characteristics up to an appropriate height;
- c. The junction of the walls with the floors and ceilings shall be constructed in such a way as to allow cleaning;
- d. Each area shall have adequate ventilation and lighting and shall be equipped with sanitary facilities, changing rooms, and other related facilities, in accordance with the provisions of this Law and its regulations.

ARTICLE 250.- The Ministry of Health shall establish the deadlines for existing industrial and commercial establishments referred to in this title to comply with the requirements established in this Law and its regulations.

#### EQUIPMENT AND UTENSILS.

ARTICLE 251.- The material, design, finish, and installation of equipment and utensils shall allow for easy cleaning, disinfection, and hygienic maintenance of the same, as well as adjacent areas. Both equipment and utensils shall be kept in good hygienic condition and shall be disinfected as often as necessary to avoid hygienic and sanitary problems.

ARTICLE 252.- All surfaces that come into direct contact with food or beverages must be non-toxic and unalterable under conditions of use.

ARTICLE 253.- Connections and mechanisms of equipment requiring lubrication shall be constructed in such a way that the lubricant does not come into contact with food or beverages or with surfaces in contact with them.

ARTICLE 254.- The cleaning, washing, and disinfection of equipment and utensils that come into contact with food or beverages shall be carried out in such a way and with implements or products that do not generate or leave behind hazardous substances during use.

PARAGRAPH.- The use of lubricants, utensils, equipment, and cleaning, washing, and disinfection products shall comply with the standards established for this purpose by the Ministry of Health.

#### PROCESSING, MANUFACTURING, AND DISPENSING OPERATIONS.

ARTICLE 255.- For the preparation of food and beverages, raw materials must be used whose hygienic and sanitary conditions allow for their proper processing. Raw materials shall comply with the provisions of this Law, its regulations, and other applicable standards.

ARTICLE 256.- Raw materials, containers, packaging, wrappings, and finished products for food and beverages shall be stored in such a way as to prevent contamination and ensure proper preservation.

PARAGRAPH.- Storage areas for raw materials and finished food and beverage products shall occupy separate spaces, except in cases where, in the opinion of the Ministry of Health or the delegated authority, there is no risk of contamination to the products.

ARTICLE 257.- Areas where raw materials are received or stored shall be separate from those used for the preparation or packaging of the final product. The competent health authority may exempt establishments where there is no risk of contamination of the products from compliance with this requirement.

ARTICLE 258.- The reuse of food, beverages, brine leftovers, juices, sauces, oils, or similar items shall not be permitted, except in cases where the Ministry of Health or the delegated authority authorizes it because it does not pose a risk to consumer health.

ARTICLE 259.- The establishments referred to in this title, equipment, beverages, food, and raw materials must be protected against pests.

Pesticides and application systems used for pest control in food and beverages shall comply with the regulations issued for this purpose by the Ministry of Health.

Regulations on agricultural raw materials shall be established jointly with the Ministry of Agriculture.

ARTICLE 260.- The storage of hazardous substances in kitchens or spaces where food or beverages are prepared, produced, stored, or packaged is prohibited.

ARTICLE 261.- In commercial establishments, activities related to food or beverages, such as cutting, preparation, storage, packaging, and sale, must be carried out in areas that do not pose a risk of contamination to the products.

ARTICLE 262.- In the commercial or industrial establishments referred to in this title, spaces used for housing or sleeping quarters must be completely separate from those used for the activities of the establishments.

ARTICLE 263.- Establishments where perishable products are produced, processed, transformed, packaged, sold, consumed, or stored shall have adequate and sufficient refrigeration equipment.

ARTICLE 264.- The establishments referred to in this title shall have water and elements for washing and disinfecting their equipment and utensils in sufficient quantity and quality to maintain adequate conditions of hygiene and cleanliness.

ARTICLE 265.- In the establishments referred to in this title, persons without adequate protective equipment are prohibited from entering processing areas, in order to prevent contamination of food or beverages.

PARAGRAPH.- Animals shall not be allowed in areas where any of the activities referred to in this title are carried out.

#### PACKAGING, CONTAINERS, AND WRAPPINGS.

ARTICLE 266.- Surfaces that come into contact with food or beverages must be inert to them, not modify their organoleptic or physical-chemical characteristics, and, in addition, be free of contamination.

ARTICLE 267.- Containers, packaging, or wrappings used for food or beverages must comply with the regulations issued for this purpose by the Ministry of Health.

ARTICLE 268.- It is prohibited to pack or package food or beverages in damaged packaging or containers, or in those that have previously been used for hazardous substances.

ARTICLE 269.- The reuse of containers or packaging that have not been previously used for hazardous substances shall be permitted only when such containers or packaging do not pose a risk of contamination to food or beverages after being washed, disinfected, or sterilized.

ARTICLE 270.- The sale of food or beverages in containers bearing trademarks or labels belonging to other manufacturers or products is prohibited.

#### LABELS AND ADVERTISING.

ARTICLE 271.- Packaged or bottled food and beverages intended for sale to the public shall bear a label on which the following information determined by the Ministry of Health shall be noted:

- a. Product name;
- b. Name and address of the manufacturer;
- c. Net content in International System (SI) units;
- d. Ministry of Health registration; and
- e. Ingredients.

PARAGRAPH.- The provisions of this article shall not apply to food or beverages that are packaged and sold in the same establishment. The Ministry of Health shall specify the conditions for identifying these products when it considers that their sale gives rise to counterfeiting or health risks.

ARTICLE 272.- Signs or any other means of advertising shall not refer to medicinal, preventive, curative, nutritional, or special properties that could give rise to false impressions about the true nature, origin, composition, or quality of the food or beverage.

ARTICLE 273.- Signs or any other means of advertising or promotion must clearly indicate the natural or synthetic origin of the basic raw materials used in the production of food or beverages.

PARAGRAPH.- The use of superimposed, amended, or illegible labels is prohibited.

Article 274.- Food or beverages whose labels or advertising assign medicinal properties to them shall be considered medicines and shall also comply with the requirements established for such products in this Law and its regulations.

#### EMPLOYERS AND EMPLOYEES.

ARTICLE 275.- Persons involved in the handling or manipulation of beverages must not suffer from infectious or contagious diseases.

The Ministry of Health shall regulate and control the other health and hygiene conditions that such personnel must comply with.

ARTICLE 276.- Employers and workers in the establishments referred to in this title shall comply with the Occupational Health standards established in Title III of this Law and its regulations. In addition, the Ministry of Health may require personnel to undergo medical examinations when it deems necessary.

ARTICLE 277.- In the establishments referred to in this title, employers shall provide their personnel with the facilities, clothing, and equipment necessary to comply with the rules on personal hygiene and sanitary practices in the handling of products.

#### TRANSPORTATION.

ARTICLE 278.- Vehicles used to transport food, beverages, and raw materials must be designed and built in such a way as to protect the products from contamination and ensure their proper preservation. In addition, they must always be kept in excellent hygienic conditions. The Ministry of Health shall regulate the hygienic and sanitary conditions that must be met.

ARTICLE 279.- Vehicles used to transport food or beverages that must be kept cold must have adequate equipment to keep these products in good condition until they reach their final destination.

ARTICLE 280.- It is prohibited to place food directly on the floor of transport vehicles when this poses a risk to consumer health.

ARTICLE 281.- It is prohibited to transport beverages or food together with hazardous substances or any other substance likely to contaminate them in the same vehicle.

ARTICLE 282.- Containers or implements used for the transport of food or beverages must always be in hygienic condition.

#### INDUSTRIAL ESTABLISHMENTS.

ARTICLE 283.- Industrial establishments that sell food or beverages must have an area dedicated exclusively to this purpose, equipped with all the hygienic and sanitary requirements demanded of commercial establishments of this type.

ARTICLE 284.- In industrial establishments, overhead pipes shall be positioned so that they do not pass over processing lines, except in cases where, for technological reasons, there is no danger of contamination of food or beverages, at the discretion of the Ministry of Health or the delegated authority.

ARTICLE 285.- The industrial establishments referred to in this title shall have drinking water in the quantity required for the activity carried out therein.

ARTICLE 286.- All industrial establishments for food or beverages must have a laboratory to control the quality of their products.

PARAGRAPH.- The establishments referred to in this article may contract the quality control of their products to laboratories that are legally established and approved by the Ministry of Health, in accordance with the regulations established in this regard.

ARTICLE 287.- The Ministry of Health shall regulate special control systems that must be implemented when the product so requires. In establishments engaged in the breeding of animals for slaughter, quality control systems shall be established in coordination with the Ministry of Agriculture.

#### COMMERCIAL ESTABLISHMENTS.

ARTICLE 288.- All food and beverages must come from establishments authorized by the Ministry of Health or the delegated authority and that comply with the provisions of this Law and its regulations.

ARTICLE 289.- Food that does not require packaging or containers shall be stored in such a way as to prevent contamination or alteration, in order to avoid health and hygiene risks to the consumer.

PARAGRAPH.- In the sale of food referred to in this article, protective elements such as cabinets or display cases shall be provided that are adequate and easy to wash and disinfect. In addition, appropriate utensils for handling food shall be available.

ARTICLE 290.- When commercial food or beverage establishments do not have sufficient water and equipment, in terms of quantity and quality, for washing and disinfecting, the utensils used must be disposable after the first use.

ARTICLE 291.- In commercial establishments where food or beverages are served, the use of damaged tableware shall not be permitted. Jugs or containers containing food or beverages must be provided with lids to prevent contamination.

PARAGRAPH.- The health authority that finds damaged utensils in use under the terms of this article shall proceed to their immediate confiscation and destruction.

ARTICLE 292.- When a commercial establishment, in addition to the activities referred to in this chapter, carries out other activities involving non-edible products, these must be separated and stored independently to prevent contamination of food or beverages.

ARTICLE 293.- Cooking food by direct contact with the flame shall only be permitted when such operation does not result in contamination of the food or any other phenomenon adverse to health.

ARTICLE 294.- The Ministry of Health shall establish the requirements that commercial, temporary, or mobile establishments must meet for the sale of food or beverages and the conditions thereof.

ARTICLE 295.- Commercial establishments selling live animals must have adequate facilities to keep them in a hygienic condition and to prevent any adverse effects on the well-being or health of neighbors.

#### ADDITIVES AND WASTE.

ARTICLE 296.- The use of additives that pose a risk to consumer health or that may cause product adulteration or falsification is prohibited.

ARTICLE 297.- The use of additives shall comply with the provisions on:

- a. Permitted additives;
- b. Dosage and tolerance limits;
- c. Foods to which they may be added;
- d. Any others deemed necessary by the Ministry of Health.

PARAGRAPH.- The provisions referred to in this article shall be kept up to date, taking into account changes in conditions of application and technology.

ARTICLE 298.- The Ministry of Health or the entity delegated by it shall exercise control over the use of additives in food and beverages.

ARTICLE 299.- The Ministry of Health, within the provisions of this Law and its regulations, shall set the maximum limits for pesticide residues permitted in water, food, and beverages.

#### IMPORTS AND EXPORTS.

ARTICLE 300.- All products covered by this title that are imported into the country must have a certificate from the country of origin, issued by the health authority of the country of production, authenticated by the Consulate of Colombia or the nearest friendly country, which must also certify their suitability for human consumption.

ARTICLE 301.- The Ministry of Health, in conjunction with the Ministry of Agriculture, shall establish the health requirements to be met by the imported or exported products referred to in this title and shall monitor strict compliance with them.

ARTICLE 302.- Imported or exported food and beverages shall comply with the provisions of this Law and its regulations on labeling and advertising.

ARTICLE 303.- The points of arrival of imported or exported food and beverages shall have storage areas in adequate sanitary conditions to ensure their preservation.

PARAGRAPH.- The Ministry of Health or the entity it delegates shall, in coordination with the Ministry of Agriculture, monitor compliance with the provisions established in this article.

#### PRODUCTS.

ARTICLE 304.- Food or beverages that are altered, adulterated, counterfeit, contaminated, or that due to other abnormal characteristics may affect the health of the consumer are not considered fit for human consumption.

ARTICLE 305.- The possession or sale of food or beverages unfit for human consumption is prohibited. The Ministry of Health or its delegated authority shall proceed with the confiscation and final disposal of these products.

ARTICLE 306.- All food or beverages sold under a brand name and with specific names shall require registration issued in accordance with the provisions of this Law and the regulations established for this purpose by the Ministry of Health.

PARAGRAPH.- The sale of food or beverages with pending registration is prohibited as of the effective date of this Law.

#### MEAT, MEAT PRODUCTS, AND RELATED ITEMS.

#### SLAUGHTERHOUSES.

ARTICLE 307.- The slaughter of animals for public consumption may only be carried out in slaughterhouses authorized by the competent authority and, in addition to complying with the requirements of this Law and its regulations, shall comply with the rules on slaughter, processing, and transport issued by the Ministry of Health.

PARAGRAPH.- Regulations for export slaughterhouses shall be issued jointly with the Ministry of Agriculture.

ARTICLE 308.- Before installing any slaughterhouse, approval shall be requested from the Ministry of Health or its delegated authority for its location, design, and construction. Likewise, any remodeling or expansion shall be approved by the Ministry of Health or its delegated authority.

PARAGRAPH.- The approval referred to in this article shall take into account the existing zoning specifications in each locality, provided that they do not contravene the provisions of this Law and its regulations.

ARTICLE 309.- The land for the location of slaughterhouses shall comply with the requirements set forth in Title IV of this Law and shall also have sufficient drinking water, electricity, and facilities for the treatment, disposal, and removal of waste.

ARTICLE 310.- Slaughterhouses shall keep a daily record of animal arrivals. This record shall contain: specific origin, number of slaughters, rejections or seizures and their causes. This information shall be provided periodically to the competent health authority.

PARAGRAPH.- The Ministry of Health shall regulate the manner in which the information referred to in this article is collected and used.

ARTICLE 311.- Slaughterhouses shall have separate pens for each animal species with sufficient capacity and facilities for ante-mortem examination and for isolating suspicious or sick animals. In addition, the Ministry of Health or its delegated authority shall establish additional requirements for pens.

ARTICLE 312.- The Ministry of Health, in conjunction with the Ministry of Agriculture, shall regulate the conditions and requirements that must be met for the proper functioning of slaughterhouses, when deemed necessary, to have an attached market place.

ARTICLE 313.- For the purposes of epidemiological prevention and control, the rules established in this Law and its regulations shall be followed when cases of infectious and contagious diseases occur in animals.

ARTICLE 314.- When determined by the Ministry of Health, slaughterhouses shall have a place adjacent to the pens for washing and disinfecting vehicles used to transport animals.

ARTICLE 315.- Slaughterhouses shall have separate slaughter or processing sections for each animal species. The Ministry of Health or the entity it delegates shall indicate the cases in which the use of the same section for the slaughter or processing of animals of different species is permitted.

ARTICLE 316.- Slaughterhouses intended for the slaughter of cattle shall have, in addition to the areas referred to in the previous articles, the following:

- a. For washing and preparing white offal;
- b. For washing and preparing red viscera;
- c. For hides and feet;
- d. For heads;
- e. Of by-products;
- f. From confiscations, and
- g. From the destruction of rejects and confiscated items.

PARAGRAPH.- The Ministry of Health may authorize the establishment or elimination of other areas and the conditions thereof, when it deems it appropriate.

ARTICLE 317.- Only animals for slaughter may be slaughtered and processed in slaughterhouses approved by the Ministry of Health or by the authority delegated by it. For export slaughterhouses, this approval shall be issued in agreement with the Ministry of Agriculture.

ARTICLE 318.- The Ministry of Health may classify slaughterhouses according to their capacity and other conditions. It shall also regulate the special requirements that slaughterhouses must meet in accordance with their classification.

ARTICLE 319.- Slaughterhouses shall be subject to health inspection by the competent authorities. The Ministry of Health shall regulate such inspection.

PARAGRAPH.- Regulations on health inspections and other requirements for export slaughterhouses shall be established jointly

with the Ministry of Agriculture.

ARTICLE 320.- Slaughter and dressing areas shall be constructed of solid, washable, impermeable, non-porous, non-absorbent, and corrosion-resistant material, and shall comply with all other regulations issued for this purpose by the Ministry of Health.

ARTICLE 321.- All slaughterhouses shall have an adequate system for the easy cleaning of animals, meat, viscera, heads, and feet; for the cleaning and disinfection of equipment, utensils, and facilities; and for the hygiene of workers and other personnel. Equipment and accessories shall be kept clean and in good sanitary condition.

ARTICLE 322.- The Ministry of Health may require the existence of a separate area for the slaughter of suspect animals.

PRE-SLAUGHTER INSPECTION.

ARTICLE 323.- All animals to be slaughtered shall undergo ante-mortem health inspection in the slaughterhouse pens. Slaughter may only begin when authorized by the competent official health authority.

ARTICLE 324.- Animals that have died during transport or in the slaughterhouse pens may not be used for human consumption. The competent health authority shall decide the final destination of these animals.

ARTICLE 325.- Animals arriving at the slaughterhouse or presenting abnormal conditions during their stay in the pens shall be moved to the pens designated for suspect animals and shall be subject to special surveillance and control. The competent health authority shall decide their destination.

PARAGRAPH.- The animals referred to in this article shall be marked as suspect animals and shall retain this mark throughout the industrial process, if applicable.

ARTICLE 326.- Animals rejected during ante-mortem inspection shall be slaughtered in the slaughterhouse where they were inspected, in a location separate from the normal slaughter area, taking sanitary measures to ensure the cleaning and disinfection of personnel involved in the slaughter, as well as the utensils and areas of the slaughterhouse that have been in direct contact with the animal. The meat, viscera, and other components shall be immediately rendered unusable. The competent health authority shall supervise the operation.

ARTICLE 327.- All animals must be washed before slaughter; all slaughterhouses must have the appropriate facilities for this purpose.

SLAUGHTER.

ARTICLE 328.- Only methods approved by the Ministry of Health may be used for stunning, slaughtering, and bleeding animals.

ARTICLE 329.- The red and white viscera of animals shall be removed separately and in a manner that prevents contamination of the viscera and the meat.

ARTICLE 330.- The white viscera of animals shall be processed and washed in places separate from the slaughter and dressing areas; the red viscera shall be treated in the corresponding section.

ARTICLE 331.- The legs, heads, and skin of slaughtered animals shall be separated and handled properly and adequately to avoid contamination of the meat.

ARTICLE 332.- The parts of the slaughtered animal must be properly identified to facilitate post-mortem health inspection.

ARTICLE 333.- All meat from slaughtered animals shall be washed with potable water, under pressure if possible, and left to drain for the time necessary to remove the wash water.

ARTICLE 334.- The presence of persons or animals not involved in the slaughterhouse work during the slaughter or processing of animals is prohibited.

POST-MORTEM INSPECTION.

ARTICLE 335.- All animals shall be subjected by the health authority to a complete macroscopic examination of their lymph nodes, viscera, and tissues, supplemented, when deemed appropriate, with confirmatory laboratory tests, immediately after slaughter.

ARTICLE 336.- Animals declared suspicious in the ante-mortem inspection shall, after slaughter, be thoroughly examined by the health authority. The latter shall determine whether or not they are fit for consumption; if not, it shall order their total or partial confiscation, in accordance with this Law and other regulations established for this purpose by the Ministry of Health.

PARAGRAPH 1.- Meat and other usable parts of the animal that are declared fit for human consumption by the health authority shall be identified as such in a visible place. To facilitate inspection, their identification shall be maintained until they are sold.

PARAGRAPH 2.- Confiscated meat or offal shall be taken to the confiscation area for the purposes determined by the health authority, taking care to protect and disinfect the operators and equipment that have come into contact with them.

ARTICLE 337.- The Ministry of Health shall regulate inspection techniques, forms of identification, and the causes for partial or total confiscation and treatment prior to consumption or industrialization of meat.

ARTICLE 338.- It is prohibited to remove meat, offal, and other parts of slaughtered animals from slaughterhouses without examination, identification, and approval by the competent health authority.

#### TRANSPORTATION OF MEAT.

ARTICLE 339.- All vehicles used to transport meat, offal, and other parts of slaughtered animals from slaughterhouses to places of sale or industrialization must have a license issued by the Ministry of Health or the authority delegated by it, in compliance with the requirements of this Law and the corresponding regulations. Vehicles shall be used exclusively for this purpose.

For the transport of products intended for export, the regulations shall be issued jointly with the Ministry of Agriculture.

ARTICLE 340.- The compartments of vehicles used to transport meat, offal, and other parts of slaughtered animals must be constructed of impermeable and unalterable material. The design must allow for proper cleaning and disinfection.

ARTICLE 341.- All vehicles used to transport meat, carcasses, half-carcasses, and quarter-carcasses must have a system that keeps the products at a height that prevents them from coming into contact with the floor.

ARTICLE 342.- Offal must be transported separately in impermeable and unalterable containers that are properly protected to prevent contamination.

ARTICLE 343.- Meat from different species of slaughter animals shall be transported in such a way that they do not come into contact with each other.

ARTICLE 344.- The transport of meat, offal, and other parts of slaughtered animals shall require a certificate issued by the health authority of the slaughterhouse of origin, stating:

- a. The species to which it belongs;
- b. Quantity transported;
- c. Date of slaughter;
- d. Place of destination; and
- e. Any other specifications established by the Ministry of Health.

ARTICLE 345.- Establishments intended for the sale of meat shall meet the following requirements:

- a. Floors and walls shall be constructed of impermeable and unalterable materials that facilitate cleaning and disinfection:
- b. The equipment and utensils used in the handling of meat or offal shall be made of non-toxic and unalterable material and designed to allow for cleaning and disinfection:
- c. They shall be equipped with the necessary elements for the preservation and hygienic handling of meat.

In addition, they must have the purchase invoices with the health license number of the slaughterhouse where the animals were slaughtered.

#### SLAUGHTERHOUSES FOR PIGS.

ARTICLE 346.- Pig slaughterhouses shall comply with the provisions of this Law and its regulations, except in relation to areas for heads, feet, and skins. In addition, they must have areas exclusively for scaling or skinning with the appropriate equipment.

The Ministry of Health shall regulate the systems to be used for the scaling or skinning of pigs.

#### POULTRY SLAUGHTERHOUSES.

ARTICLE 347.- Poultry slaughterhouses shall comply with the provisions of this Law, its regulations, and other specific rules that may be issued.

ARTICLE 348.- Poultry slaughterhouses shall have the following separate sections:

- a. Poultry reception;
- b. Slaughter, scaling, and plucking;
- c. For evisceration, washing, cooling, and packaging; and
- d. Cold storage.

PARAGRAPH.- The Ministry of Health may require or abolish the establishment of the sections it deems necessary and the conditions they must meet.

ARTICLE 349.- All poultry slaughterhouses shall be subject to health inspection by the competent authorities.

Ante-mortem inspection shall be carried out in the reception section and shall comply with the regulations issued for this purpose by the Ministry of Health.

ARTICLE 350.- Poultry in suspicious sanitary conditions shall be slaughtered separately from healthy poultry.

ARTICLE 351.- When slaughtering poultry, the bleeding period shall be of such duration that under no circumstances shall the birds arrive alive at the scalding stage.

ARTICLE 352.- When slaughtering birds, plucking shall be carried out using potable water, which shall be kept hot and in hygienic conditions during use to prevent contamination.

ARTICLE 353.- When slaughtering poultry, the plucking machines shall be designed in such a way as to prevent the dispersion of feathers and allow for their easy collection. They shall be washed as often as necessary to ensure hygiene and maintenance.

The Ministry of Health shall approve the systems used for plucking and collecting feathers.

ARTICLE 354.- When slaughtering poultry, evisceration shall be carried out in such a way as to avoid contamination as much as possible; the collection channel for viscera not suitable for human consumption shall be made of unalterable material and the final collection of these shall be carried out using systems approved by the Ministry of Health.

ARTICLE 355.- Post-mortem health inspection shall be carried out after the birds have been eviscerated.

ARTICLE 356.- Poultry slaughterhouses shall have a system for the disposal or processing of waste and confiscated products, approved by the Ministry of Health.

ARTICLE 357.- The equipment used for cooling poultry shall be designed in such a way as to prevent contamination and shall be sanitized after each use.

ARTICLE 358.- In poultry scaling and cooling processes, drains shall be used to prevent water from flowing onto the floors.

ARTICLE 359.- Poultry sold for public consumption must come from slaughterhouses with a health license issued by the Ministry of Health or its delegated authority, in accordance with the provisions of this Law and its regulations.

ARTICLE 360.- All poultry intended for public consumption must have health identification issued by the competent authorities, which shall be retained until sale. The Ministry of Health shall regulate matters relating to this identification.

ARTICLE 361.- Poultry shall be packaged individually for sale. When accompanied by offal, the offal shall be packaged separately or placed in the abdominal cavity.

ARTICLE 362.- It is prohibited to add colorants to poultry sold for human consumption.

#### SLAUGHTERHOUSES FOR OTHER ANIMAL SPECIES.

ARTICLE 363.- Establishments intended for the slaughter of other animal species shall comply with the provisions of this Law, its regulations, and any special regulations issued by the Ministry of Health.

#### MEAT DERIVATIVES.

ARTICLE 364.- The Ministry of Health shall regulate the conditions to be met by establishments in which meat products are produced, processed, or transformed.

ARTICLE 365.- Raw materials, additives, and other products used in the production of meat derivatives shall comply with the health and hygiene requirements set forth in this Law and its regulations.

ARTICLE 366.- In the production of meat products, the use of raw materials of inferior quality or in proportions other than those approved by the competent health authorities and declared on labels and tags is prohibited.

ARTICLE 367.- The classification and composition of the different meat products shall comply with the standards and other health provisions issued by the Ministry of Health or the delegated entity.

ARTICLE 368.- Meat and meat products derived from animals other than cattle intended for consumption shall be identified and sold under a name that clearly indicates their origin.

ARTICLE 369.- The Ministry of Health shall establish the classification of animals for public consumption. In addition, it shall regulate the conditions that must be met in the production, processing, transformation, fractionation, preservation, storage, transport,

sale, consumption, export, or import of meat and meat products derived from animals other than cattle intended for human consumption.

FISH PRODUCTS.

ARTICLE 370.- All fishery products that require it must be gutted, washed, and cooled quickly at or near the place of capture. Their sale to the public is prohibited when they do not comply with this provision.

ARTICLE 371.- For sale to the public, fresh products must not contain additives and must be whole; they may only be sold in pieces or fillets when they have been prepared in duly authorized establishments or outlets that have undergone health inspections and are kept frozen or refrigerated until sale to the public.

ARTICLE 372.- The sale to the public of fishery products that have been killed with explosives or toxic substances is prohibited.

ARTICLE 373.- Brines used in the salting of fishery products shall be prepared with potable water and salt suitable for human consumption; no nitrites, nitrates, coloring substances, or other substances that pose a health risk or that may give rise to adulteration shall be added.

ARTICLE 374.- The transport of fishery products shall be carried out under conditions that guarantee their preservation, in accordance with the regulations issued for this purpose by the Ministry of Health.

MILK AND MILK PRODUCTS.

ARTICLE 375.- For human consumption, milk must be obtained hygienically; milk and its derivatives must come from healthy animals free of zoonoses.

ARTICLE 376.- Milk obtained from animals undergoing treatment with drugs or medications that are eliminated through milk and that may cause harm to the health of the consumer shall not be used for human consumption.

ARTICLE 377.- Milk and milk products derived from animals other than cattle shall be identified and sold with names that clearly indicate their origin.

ARTICLE 378.- Milk and dairy products for human consumption must comply with this Law and its regulations. ARTICLE 379.- All stables and milking sites shall have a contamination-free water supply system. ARTICLE 380.- All stables and milking sites shall be located in places that do not allow contamination of the milk.

ARTICLE 381.- Stables and milking sites shall comply with the provisions of this Law and those established by the Ministry of Health.

ARTICLE 382.- The final disposal of manure in stables and milking areas shall be carried out in accordance with this Law and in such a way as to prevent contamination of milk.

ARTICLE 383.- Stables and milking parlors shall have separate sections for:

- a. Milking;
- b. Milk handling;
- c. Sanitization and storage of utensils, and
- d. Any others required by the Ministry of Health for their proper functioning.

ARTICLE 384.- The Ministry of Health shall regulate the sanitary conditions that herds must meet in order to operate and may classify them according to these conditions. In addition, herds shall comply with current animal health regulations.

ARTICLE 385.- The Ministry of Agriculture shall notify the competent health authority of any health or hygiene problems that arise in livestock herds, in accordance with the regulations issued for this purpose by the Ministry of Health in conjunction with the Ministry of Agriculture.

ARTICLE 386.- Milking and milk handling shall be carried out in such a way as to avoid contamination; the containers, equipment, and utensils used shall be properly washed and disinfected for preservation; milk shall be stored in a manner that allows for its preservation; and transportation shall be carried out in vehicles exclusively intended for this purpose, which meet the requirements of the Ministry of Health or the authority delegated by it.

MILK COOLING PLANTS.

ARTICLE 387.- Milk cooling plants shall comply with the requirements of this Law and its regulations, and shall have

cooling systems for milk preservation and equipment for washing and disinfecting containers that come into contact with milk.

ARTICLE 388.- The milk cooling and storage sections must be separated from the other sections of the plant and protected from the outside environment.

ARTICLE 389.- Before leaving the cooling plant, all milk shall be subjected to the corresponding analyses in accordance with the regulations issued for this purpose by the Ministry of Health.

ARTICLE 390.- All milk treated in cooling plants must be sent for pasteurization. It is prohibited to sell it directly to the public.

#### MILK PASTEURIZATION PLANTS.

ARTICLE 391.- Milk pasteurization plants shall comply with the requirements of this Law and its regulations. They shall also have the necessary systems for the preservation of milk, with equipment for washing and disinfecting the containers that come into contact with it.

ARTICLE 392.- In pasteurization plants, the processing and storage sections for finished products shall be separate from the other sections.

ARTICLE 393.- When pasteurization plants use reusable containers, they shall have a separate section with adequate equipment for washing and disinfecting them.

ARTICLE 394.- Equipment and utensils used in the pasteurization process that come into contact with milk shall be washed and disinfected before and after use.

ARTICLE 395.- Pasteurization equipment must have records of the pasteurization process. These shall be made available to the competent health authority or agency.

ARTICLE 396.- The packaging, storage, transport, distribution, and sale of milk shall be carried out under conditions that guarantee its proper preservation.

ARTICLE 397.- The sale of milk shall only be permitted in outlets with a license issued by the relevant health authority.

ARTICLE 398.- Reconstituted or recombined milk must comply with the health and hygiene requirements established in this Law and its regulations.

#### DAIRY PRODUCT PROCESSING PLANTS.

ARTICLE 399.- Dairy product processing plants shall comply with the provisions of this Law and its regulations, and shall have separate sections for the manufacture of different products. The Ministry of Health or its delegated entity may, when there is no danger of contamination, authorize the use of the same section for the manufacture of several products.

ARTICLE 400.- When dairy product processing plants have cooling or pasteurizing plants, these shall comply with the requirements established for each of them.

#### EGGS.

ARTICLE 401.- For human consumption, fresh and preserved eggs shall comply with the health and hygiene specifications issued for this purpose by the Ministry of Health.

ARTICLE 402.- Eggs unfit for human consumption, which may be used for other purposes, shall be denatured using systems approved by the Ministry of Health.

ARTICLE 403.- Preserved eggs shall be marketed with a visible inscription stating "preserved."

ARTICLE 404.- Liquid eggs shall be pasteurized before being frozen, dehydrated, or stored. They shall be stored in closed containers at refrigeration temperature.

ARTICLE 405.- In the case of eggs, when the yolk is separated from the white, the label shall indicate the product in question. These products shall comply with the provisions of this Law and its regulations.

#### ICE.

ARTICLE 406.- Ice and the establishments where it is produced or sold shall comply with the requirements of this Law and its regulations.

ARTICLE 407.- Potable water shall be used in the production of ice, and equipment shall be used whose installation, operation, and maintenance guarantee a product with physical and chemical characteristics similar to those of potable water.

ARTICLE 408.- Ice shall comply with the bacteriological requirements established for drinking water.

ARTICLE 409.- Ice must be handled, transported, and stored in such a way as to protect it from contamination.

FRUIT AND VEGETABLES.

ARTICLE 410.- Fruit and vegetables must comply with all the requirements established in this Law and its regulations.

ARTICLE 411.- During the handling or storage of fruits and vegetables, the necessary precautions must be taken to prevent contamination.

ARTICLE 412.- The use of contaminated water for irrigating vegetables and fruits is prohibited when consumption may cause harmful effects to health.

ENRICHED FOODS AND BEVERAGES.

ARTICLE 413.- Foods containing elements or substances that give them this character in the quantities established by the Ministry of Health shall be considered enriched foods.

ARTICLE 414.- The addition of enriching substances that are not approved by the Ministry of Health is prohibited in food and beverages.

ARTICLE 415.- Labels and advertising for enriched food products shall comply with the provisions of this title and shall also contain the name and proportion of the enriching element or elements.

FOODS OR BEVERAGES FOR SPECIAL DIETARY USE.

ARTICLE 416.- The label of foods or beverages with special dietary properties must indicate the name and quantity of the substances that give them that character.

ALCOHOLIC BEVERAGES.

ARTICLE 417.- All alcoholic beverages shall comply with the provisions of this Law and its regulations. The Ministry of Health shall classify alcoholic beverages according to their alcohol content.

ARTICLE 418.- The raw materials used in the production of alcoholic beverages shall also comply with the conditions established in this Law, its regulations, and the following:

- a. Drinking water,
- b. Malted or unmalted cereals, sugars, yeasts, hop flowers, and other raw materials free from contamination.

ARTICLE 419.- In premises where alcoholic beverages are produced or bottled, it is prohibited to keep products not authorized by the competent authority that modify the natural state or composition of alcoholic beverages.

ON THE PRESERVATION OF FOOD OR BEVERAGES.

ARTICLE 420.- The Ministry of Health shall regulate the methods or systems, equipment, and substances permitted for the preservation of food or beverages.

ARTICLE 421.- Food or beverage preservation methods may not be used to conceal flaws in the raw material or the process.

ARTICLE 422.- The Ministry of Health shall regulate the time and conditions of controlled storage to which preserved food or beverages shall be subject prior to their commercialization.

ARTICLE 423.- In the production of canned vegetables, it is prohibited to add substances to restore the green color of chlorophyll.

ARTICLE 424.- Food products or beverages that are preserved using low temperatures shall be stored appropriately, taking into account the temperature, humidity, and air circulation conditions required for each food product.

ARTICLE 425.- Once food or beverages have been thawed, they may not be refrozen or refrigerated.

ARTICLE 426.- In any type of food or beverage, the presence of antibiotics or other prohibited substances shall be grounds for confiscation of the product.

ARTICLE 427.- In food preservation, the use of ionizing radiation shall only be permitted when authorized by the Ministry of Health for specific cases and after verification that the food thus treated does not present any health risk.

TITLE VI

Partially regulated by National Decree 2742 of 1991 DRUGS,

MEDICINES, COSMETICS, AND SIMILAR PRODUCTS

Purpose.

See Resolution 1478 of 2006 of the Ministry of Social Protection. ARTICLE 428.-

In this title, the Law establishes health provisions on:

- a. The manufacture, packaging, storage, transport, and sale of drugs and medicines, narcotics, restricted psychotropic drugs, and other products that may cause drug dependence or that, due to their effects, require special restrictions;
- b. Cosmetics and similar products, healing materials, and all products used for the diagnosis, treatment, or prevention of human and animal diseases; and
- c. Foods that, because they have been subjected to processes that modify the relative concentration of the various nutrients in their composition or their quality, or because of the incorporation of substances foreign to their composition, acquire therapeutic properties.

GENERAL PROVISIONS.

ARTICLE 429.- The Ministry of Health shall regulate the rules on drugs, medicines, cosmetics, and similar products.

PHARMACEUTICAL ESTABLISHMENTS.

ARTICLE 430.- Buildings in which pharmaceutical laboratories operate must comply with the specifications determined for this purpose by the National Government.

ARTICLE 431.- The operation of pharmaceutical laboratories shall not constitute a danger to neighbors or affect their health and well-being.

ARTICLE 432.- From a health perspective, all pharmaceutical laboratories must operate separately from any other establishment engaged in other types of activities.

ARTICLE 433.- The Ministry of Health or the entity it delegates shall control the manufacture, import, storage, packaging, distribution, and application of biological products, including blood and its derivatives.

ARTICLE 434.- Pharmaceutical laboratories must have the equipment and elements necessary for the manufacture of their products, in accordance with the regulations established by the Ministry of Health.

ARTICLE 435.- The standards established for pharmaceutical laboratories shall apply to all establishments that use medicines, drugs, and raw materials necessary for the manufacture of pharmaceutical products.

CONTROL SECTION.

ARTICLE 436.- Pharmaceutical laboratories shall carry out permanent quality control of their raw materials and finished products, in compliance with the regulations issued by the Ministry of Health for this purpose.

PARAGRAPH.- Pharmaceutical laboratories may contract the control of their products to laboratories that are legally established and approved by the Ministry of Health.

ARTICLE 437.- All consumer pharmaceutical products shall be analyzed by the manufacturing laboratory in accordance with legal standards.

ARTICLE 438.- The Ministry of Health shall regulate matters relating to the import and export of pharmaceutical products.

PHARMACEUTICAL PRODUCTS: MEDICINES AND COSMETICS.

ARTICLE 439.- The Ministry of Health shall regulate the operation of drug warehouses, pharmacies, drugstores, and similar establishments. ARTICLE 440.- Drug warehouses may not manufacture, transform, or repackage any medicine.

ARTICLE 441.- All pharmacies and drugstores must have at least the minimum stock of products and items specified by the Ministry of Health.

ARTICLE 442.- Pharmacies and drugstores shall operate in appropriate buildings that meet the minimum requirements established by the Ministry of Health.

ARTICLE 443.- All pharmacies and drugstores that store or sell products that, due to their nature, require refrigeration must have the necessary equipment.

ARTICLE 444.- The Ministry of Health shall regulate the sale of drugs and medicines in pharmacies and drugstores.

ARTICLE 445.- The Ministry of Health shall determine the establishments, other than pharmacies and drugstores, where medicines may be sold to the public.

ARTICLE 446.- Medicines in special areas lacking access to ordinary health resources shall be regulated by the Ministry of Health.

SIGNS, LABELS, CONTAINERS, AND PACKAGING.

ARTICLE 447.- The Ministry of Health shall regulate the use of labels, tags, containers, and packaging for pharmaceutical products.

ARTICLE 448.- Packaging for pharmaceutical products shall be manufactured from materials that do not produce physical or chemical reactions with the product and do not alter its potency, quality, or purity.

ARTICLE 449.- When required by the nature of the pharmaceutical products, the packaging shall be protected from light, moisture, and all atmospheric or physical agents.

ARTICLE 450.- Packaging intended for the transport of several units of pharmaceutical products must be made of materials suitable for their preservation.

ARTICLE 451.- All pharmaceutical products must have a label affixed to the packaging on which the information determined by the Ministry of Health shall be noted.

ARTICLE 452.- Information on dosage and possible side effects and contraindications of pharmaceutical products must be included in an annex accompanying the product.

ARTICLE 453.- The names of medicines must comply with scientific moderation and, under no circumstances, will extravagant names or others determined by the respective regulations be accepted.

ARTICLE 454.- The Ministry of Development may not register a trademark for a pharmaceutical product without a prior report from the Ministry of Health regarding its acceptance. Likewise, it must cancel any registration requested by the latter.

ARTICLE 455.- It is the responsibility of manufacturers to establish, through appropriate testing, the stability conditions of the pharmaceutical products produced. The Ministry of Health shall regulate compliance with this provision.

ARTICLE 456.- The sale and supply of medicines with an expired expiration date is prohibited.

ARTICLE 457. Registration, permit, or health notification. All medicines, cosmetics, healing materials, pesticides except those for agricultural and livestock use, detergents, and all pharmaceutical products that affect individual or collective health require registration, permission, or health notification, as applicable, from the National Institute for Food and Drug Surveillance (INVIMA) for their import, export, manufacture, and sale.

[\(Amended by Article 88 of Decree 2106 of 2019\)](#)

ADVERTISING.

ARTICLE 458.- The Ministry of Health shall regulate matters relating to the advertising and prevention of pharmaceutical products and other products requiring health registration.

STORAGE AND TRANSPORTATION.

ARTICLE 459.- In the transport and storage of pharmaceutical products, the necessary precautions shall be taken in accordance with the nature of the products to ensure their preservation and to prevent them from causing contamination. The Ministry of Health shall regulate the application of this article.

SPECIALLY CONTROLLED DRUGS AND MEDICINES.

ARTICLE 460.- Narcotics, restricted psychotropic drugs, other drugs or medications that may cause dependence or addiction, and those drugs or medications that, due to their effects, require special conditions for their manufacture, handling, sale, and use, shall be subject to the provisions of this title and its regulations.

PARAGRAPH.- The specially controlled drugs and medications referred to in this article shall remain under the control and supervision of the Government and shall be subject to the regulations established in the international conventions entered into by the Government.

ARTICLE 461.- For the purposes of this Law, substances determined by the Ministry of Health, their precursors, and any other substance of a similar nature are considered psychotropic drugs subject to restriction.

ARTICLE 462.- The Ministry of Health shall prepare, review, and update the list of specially controlled drugs and medications.

In preparing the list of specially controlled drugs, the Ministry of Health shall take into account the risks that these substances pose to health.

ARTICLE 463.- The following shall be subject to government control: the planting, cultivation, harvesting, processing, extraction, preparation, packaging, acquisition, possession, use, trade, storage, and transportation of any form of narcotics, drugs, and medications or their preparations subject to special control.

ARTICLE 464.- Only the National Government may export narcotic products, in accordance with international treaties and conventions and the regulations issued in this regard.

ARTICLE 465.- The National Government may authorize the installation and operation of laboratories for the extraction or manufacture of narcotics, in accordance with the provisions of this Law and the regulations issued in this regard. These laboratories shall be required to sell their production to the National Government. In any case, the production of these laboratories must comply with the schedule drawn up by the National Government.

ARTICLE 466.- Pharmaceutical laboratories that meet the legal requirements may prepare pharmaceutical products based on narcotics, in accordance with the provisions issued by the Ministry of Health for these cases.

ARTICLE 467.- The Ministry of Health may sell to pharmaceutical laboratories the raw materials they need for the preparation of their products, in accordance with the schedule to be approved in advance by the Ministry.

ARTICLE 468.- Legally authorized pharmaceutical laboratories may only purchase the quantities intended for the manufacture of their preparations and may not, under any circumstances, resell pure narcotics.

ARTICLE 469.- The Ministry of Health may exempt from the obligation referred to in the previous article those products it deems appropriate, in which case it shall regulate the control of their sale.

ARTICLE 470.- Under no circumstances may the Ministry of Health supply narcotics to establishments that, on the date of the corresponding request, have a stock in excess of what they need for normal consumption for three months.

ARTICLE 471.- Laboratories that manufacture narcotics or their preparations shall keep detailed accounts recording the raw materials received, the products obtained, and their output. They shall also submit a monthly sworn statement to the Ministry of Health detailing movements, including entries, products manufactured, natural losses due to handling, samples for analysis, and justified losses, outflows, and stocks.

ARTICLE 472.- All establishments that use, sell, or supply narcotic products or preparations thereof to the public for medical purposes are required to keep an official register of narcotic products, in accordance with the model approved by the Ministry of Health. This obligation applies to all public and private health institutions, regardless of their nature.

ARTICLE 473.- The sale or supply of products containing narcotics, restricted psychotropic drugs, and similar products may only be made by prescription, in accordance with the regulations established by the Ministry of Health for this purpose.

ARTICLE 474.- Prescriptions containing narcotics in quantities exceeding therapeutic doses may only be dispensed upon presentation of an authorization issued by the Ministry of Health or its delegated entity.

ARTICLE 475.- Under no circumstances may pure narcotics be supplied to the public; only pharmaceutical products containing them may be dispensed.

ARTICLE 476.- The Ministry of Health shall regulate the manufacture, handling, and sale of drugs and medications that require special restrictions due to their effects.

ARTICLE 477.- Products containing narcotics, restricted psychotropic drugs, the products mentioned in the previous article, and other products that require it due to their toxicity or activity and conditions of use shall be stored under adequate security measures.

## TITLE VII

[Partially regulated by National Decree 2257 of 1986, regulated by National Decree 77 of 1997](#) EPIDEMIOLOGICAL SURVEILLANCE

AND CONTROL

PURPOSE.

ARTICLE 478.- This title establishes epidemiological surveillance and control standards for:

a. The diagnosis, prognosis, prevention, and control of communicable and noncommunicable diseases and other phenomena that may affect health;

- b. The collection, processing, and dissemination of epidemiological information; and
- c. Compliance with regulations and evaluation of the results obtained through their application.

Regulated by National Decree 713 of 1984. Official Gazette No. 36,567.

#### EPIDEMIOLOGICAL INFORMATION.

ARTICLE 479.- Epidemiological information shall be used to update diagnoses and disseminate knowledge about the health situation of the community, in order to promote the reduction and prevention of damage to health.

ARTICLE 480.- Epidemiological information is mandatory for all natural or legal persons, residents or established in the national territory, within the terms of responsibility, classification, periodicity, destination, and clarity regulated by the Ministry of Health.

ARTICLE 481.- Epidemiological information is confidential and shall be used solely for health purposes. Professional secrecy shall not be considered an impediment to providing such information.

ARTICLE 482.- To request data or carry out procedures related to health research, any person or institution requires prior authorization from the Ministry of Health or the entity delegated for that purpose.

ARTICLE 483.- The Ministry of Health or the delegated entity are the only institutions competent to disclose epidemiological information.

#### LABORATORIES AND THE REFERRAL SYSTEM.

ARTICLE 484.- The referral system shall bring together all clinical or public health laboratories, both official and private.

ARTICLE 485.- The Ministry of Health shall organize, regulate, and direct the national reference system through the National Institute of Health.

ARTICLE 486.- Laboratories in sectors other than health and sectors related to human health shall be incorporated into the Reference System established in this Law.

ARTICLE 487.- The results of clinical laboratory services and quality determination services for beverages, food, cosmetics, pesticides, water, soil, and air, in terms of contamination, pollution, or toxicity, are considered epidemiological information and shall be subject to the provisions of this Law and its regulations.

#### EPIDEMIOLOGICAL PREVENTION AND CONTROL.

ARTICLE 488.- The Ministry of Health shall:

- a. Establish, organize, and regulate an audit system for the medical professions and
- b. Regulate care in cases of infectious diseases and procedures for their prevention and control;
- c. Regulate procedures for the investigation, prevention, and control of zoonoses, phytonoses, and poisoning after consultation with specialized agencies; See Official Letter No. 149973/31.08.98. District Health Secretariat. Animals - Defense and protection by the State. CJA01651998
- d. Issue the necessary provisions to prevent persons whose health has been affected from engaging in activities that may pose a risk to the health of the community;
- e. Take the necessary measures to prevent industrial products or waste from their processing from having harmful effects on health;
- f. Promote prevention, early diagnosis, and treatment of chronic noncommunicable diseases and other conditions that affect the health of the community;
- g. Organize and regulate the operation of an epidemiological surveillance and control service in ports for people, animals, plants, houses, port areas, ships, and land vehicles, in accordance with the provisions of the International Health Regulations and the needs of the country, and See Official Letter No. 149973/31.08.98. District Health Secretariat. Animals - Defense and protection by the State. CJA01651998
- h. Regulate the issuance of documents certifying the health status of the country's inhabitants.

ARTICLE 489.- The Ministry of Health or its delegated entity shall be the competent authorities to carry out epidemiological surveillance and sanitation control actions in port areas, ships, and vehicles.

All entities involved in international traffic and port area activities shall provide backing and support to the Ministry of Health or its delegated entity in compliance with the provisions of this Law and its regulations.

ARTICLE 490.- Sanitation programs shall be aimed at preventing port areas from posing risks of infection or poisoning to people and animals, contamination or pollution to ships and vehicles, and at preventing ships or vehicles from posing risks of contamination or pollution to the port area, aquatic and terrestrial areas, or infection or poisoning to workers and residents therein.

TITLE VIII

Replaced by Articles 1 to 23, Decree 919 of 1989

DISASTERS

PURPOSE.

ARTICLE 491.- This title establishes rules for:

- a. Taking the necessary measures to prevent disasters, if possible, or to mitigate their effects;
- b. Providing aid and assistance in the event of disasters;
- c. Controlling the effects of disasters, especially in relation to the outbreak and spread of epidemics;
- d. Maintaining during the rehabilitation and reconstruction period;
- e. Environmental sanitation in communities affected by disasters;
- f. Define the state of return to normalcy for a community affected by a disaster, and
- g. Determine the responsibilities, competence, and jurisdiction of the authorities who, in times of emergency, are responsible for enforcing the rules established in this Law and its regulations.

ARTICLE 492.- The National Emergency Committee shall be created with the composition and functions determined by the National Government.  
[See National Decree 919 of 1989](#)

ARTICLE 493.- In each department, district, police station, and municipality, an emergency committee shall be established, whose composition, competence, jurisdiction, and relations shall be determined by the National Emergency Committee. All Emergency Committees shall have a representative from the Ministry of Health or one of its delegated entities.

ARTICLE 494.- The National Emergency Committee is responsible for declaring a state of emergency and a return to normalcy in cases of disaster.

ARTICLE 495.- When emergency or disaster situations arise and during their duration, the corresponding Emergency Committee shall coordinate the actions of the agencies involved.

PREVENTIVE MEASURES.

VULNERABILITY ANALYSIS.

ARTICLE 496.- Public or private entities responsible for providing public services shall analyze the vulnerability of their immediate facilities to the probability of different types of disasters that may occur in them or in their areas of influence.

The National Emergency Committee shall identify other special cases in which vulnerability analysis is necessary.

ARTICLE 497.- All entities referred to in the preceding articles shall take the applicable protective measures as a result of the vulnerability analysis. The National Emergency Committee shall establish minimum protection deadlines and conditions that must be met at the facilities of entities that provide public services.

ARTICLE 498.- The National Emergency Committee and the competent national or regional authorities shall have adequate information systems and equipment for the diagnosis and prevention of risks caused by disasters.

PARAGRAPH.- For the purposes of installing or coordinating the operation of the systems referred to in this article, the following shall be established:

- a. Methods for measuring variables;
- b. Analysis procedures;
- c. Data collection; and
- d. Other factors that allow for uniformity in operation.

PLANNING OF EMERGENCY OPERATIONS.

ARTICLE 499.- All entities responsible for applying vulnerability analyses must participate in the planning of emergency operations in their respective communities. In addition, all entities that can accommodate groups of people, at the discretion of the respective Emergency Committee, must participate.

PARAGRAPH.- For the purposes of this article, the following shall be taken into account: hospitals, schools, colleges, theaters, churches, sports facilities, mass recreation sites, warehouses, storage facilities, and similar locations.

ARTICLE 500.- Emergency operations planning shall take into account, at a minimum:

- a. Type of disaster;
- b. Responsible authorities;
- c. People's roles;
- d. Supplies and their location during normal community life;
- e. Places that can be used during the disaster period; and how to use them, and Any other information that the Emergency Committee deems necessary.

CONTINGENCY PLANS.

ARTICLE 501.- Each Emergency Committee shall develop a contingency plan for its respective jurisdiction based on the results obtained in the vulnerability analyses. In addition, the different types of disasters that may occur in the respective community shall be considered.

The National Emergency Committee shall prepare, for approval by the Ministry of Health, a model with instructions that shall appear in the contingency plans.

[See National Decree 919 of 1989](#)

ON TRAINING AND EDUCATION.

ARTICLE 502.- The Ministry of Health shall coordinate training and capacity-building programs for contingency plans in health aspects related to emergencies or disasters.

PARAGRAPH.- The National Emergency Committee shall supervise and control the training and education activities carried out to ensure the proper functioning of contingency plans.

ON ALARMS.

ARTICLE 503.- All alarm systems used as information mechanisms for emergencies and disasters shall comply with the standards and requirements established by the National Emergency Committee.

ARTICLE 504.- In the evaluation of prevention measures for emergencies and disasters, priority shall be given to health and environmental sanitation.

MEASURES IN CASES OF DISASTERS.

ARTICLE 505.- News about emergencies or disasters may only be reported by the authority in charge of the respective alarm system and in the locations designated by the National Emergency Committee. The latter shall verify the existence of the emergency or disaster, provide immediate assistance and aid, and notify the competent authority.

The respective Emergency Committee shall assess the emergency or disaster to determine its magnitude, area of influence, and possibilities for responding with its resources or requesting assistance.

ARTICLE 506.- During the emergency or disaster, the alarms and communication systems in the area of influence shall remain under the control of the respective Emergency Committee.

ARTICLE 507.- First aid in emergencies or disasters may be provided by any person or entity but, as far as possible, shall be coordinated and controlled by the respective Emergency Committee.

ARTICLE 508.- During emergencies or disasters, the respective Emergency Committee shall:

- a. Control and coordinate search and rescue activities for the injured and dead;
- b. Authorize debris removal and rescue efforts;

c. Establish conditions and requirements for shelters and camps to house victims and ensure the maintenance of sanitary conditions to prevent epidemics.

The Ministry of Health shall regulate the care of the injured, the handling of bodies, and the disposal of waste in areas affected by the emergency or disaster. It shall also establish sanitary measures for the prevention of epidemics.

AUTHORITIES, COORDINATION, AND RESCUE PERSONNEL.

ARTICLE 509.- The Emergency Committee is the highest authority in cases of disasters within its jurisdiction.

REQUEST, RECEIPT, DISTRIBUTION, AND CONTROL OF AID.

ARTICLE 510.- The respective Emergency Committee is the only body that can request aid in emergencies or disasters, with precise indications of the type and class of aid needed.

ARTICLE 511.- The respective Emergency Committee shall establish the minimum conditions to be met by relief personnel coming from communities other than the affected one and the means of transportation and subsistence to be used when in the affected area.

ARTICLE 512.- Only the National Emergency Committee may request assistance from other countries and international organizations, indicating the type, class, conditions, and forms in which such assistance should reach the affected country or community. The respective Emergency Committee shall direct the processes of storage and distribution of assistance.

ARTICLE 513.- Reconstruction and rehabilitation activities in the areas affected by the emergency or disaster shall be carried out under the direction and control of the Emergency Committee, giving priority to health, basic sanitation, and public services.

RETURN TO NORMALITY.

ARTICLE 514.- In order for the National Emergency Committee to determine the state of return to normality in the community affected by the emergency or disaster, the Ministry of Health shall determine the minimum sanitary conditions required.

TITLE IX

Partially regulated by National Decree 2092 of 1986, partially regulated by National Decree 2363 of 1986, partially regulated by National Decree 1172 of 1989, partially regulated by National Decree 1571 of 1993

DEATHS, TRANSFER OF CORPSES. BURIAL AND EXHUMATION, TRANSPLANTATION AND CONTROL OF SPECIMENS.

ARTICLE 515.- The provisions of this title establish the rules aimed at:

- a. Regulate the issuance and processing of death certificates and the biostatistical registration of causes of mortality;
- b. Regulate the practice of autopsies on human corpses;
- c. Control the transfer, burial, and exhumation of corpses or their remains when this may pose a risk to the health of the community;
- d. Control the transfer, burial, and exhumation of human body parts that may pose a health risk;
- e. Control or eliminate conditions harmful to human health and the environment in establishments intended for the temporary or permanent storage of human corpses;
- f. Regulate the donation or transfer and receipt of organs, tissues, or organic fluids that can be used for therapeutic purposes; and
- g. Organize the system for handling byproducts of childbirth and controlling surgical specimens for diagnostic purposes.

GENERAL REQUIREMENTS.

ARTICLE 516.- In addition to the provisions of this title, the Government, through the Ministry of Health, shall establish the rules and procedures for:

- a. The certification and registration of the death of every human being;
- b. Certification and registration of fetal deaths;
- c. Performing autopsies for health purposes using organs, tissues, or bodily fluids from corpses to establish the cause of death or for scientific or educational research;

- d. Controlling any risk to the health or well-being of the community arising from the transfer of corpses;
- e. Ensuring that, in the burial and exhumation of corpses or their remains, any event that may constitute a risk to the health or well-being of the community is eliminated or controlled;
- f. Control any health risks to the community in cemeteries;
- g. Control the procurement, preservation, and use of organs, tissues, or bodily fluids from corpses or provided by living beings for therapeutic purposes; and
- h. Ensure that all surgical specimens obtained for therapeutic or diagnostic purposes are subjected to pathological examination, so that epidemiological studies of morbidity are complete.

INDIVIDUAL DEATH CERTIFICATE.

ARTICLE 517.- The Individual Death Certificate must contain at least the following sections:

- a. A first section for recording the deceased's personal details, place of birth and place of death, usual place of residence, and length of residence in the place where death occurred; in the case of violent death, it must be certified whether it was caused by accidental violence, homicide, or suicide;
- b. A second part to specify, in the event of violent death, whether it was caused by accidental violence, homicide, or suicide;
- c. A third part is intended to record the cause or causes of death, sequentially ordered for the diagnosis of the direct cause of death, the antecedent causes, and the basic or fundamental cause, as well as the existence of other pathological conditions that may have contributed to the death but are not related to the fundamental cause. This part shall also include the chronological and correlated record of the evaluation of each cause of death and the period of medical care received, if any, or, if not, the means used by the non-attending physician to establish the cause of death, the name, address, signature, and registration number of the physician;
- d. A fourth section is intended to provide information on the probable cause of death in cases where there is no medical certificate, as well as the identification details, profession, and address of the informant and any other information that may contribute to establishing the probable cause of death.
- e. A fifth and final part with the registration number of the Death Certificate, which will be the same as the burial license, place and date of registration, and finally the health authority or office that issues it.

ARTICLE 518.- When medical care has been provided, the treating physician shall be the one who, except in cases of force majeure, issues the certificate. In the event of an autopsy, it shall be the physician who performs the autopsy who primarily issues the certificate. See Concept. Response from the District Health Secretariat to consultation No. 93342. Corpses. CJA02600000

ARTICLE 519.- In cases where death occurs in a hospital or similar establishment, the certificate must be issued by the person to whom the institution delegates this function. See Concept. Response from the District Health Secretariat to consultation No. 93342. Corpses. CJA02600000

ARTICLE 520.- The Ministry of Health shall:

- a. Determine the means to be used by a physician other than the attending physician, if no autopsy is performed, to determine the probable cause of death;
- b. Determine, after consulting with scientific societies related to this matter, which negative signs of life or positive signs of death must be verified as a minimum by the physician certifying the death;
- c. Issue the necessary regulations so that the individual death certificate is issued without causing any expense to the person requesting it, and
- d. Require the presentation of the Individual Death Certificate as an essential condition for issuing the Burial License.

ARTICLE 521.- The Ministry of Health shall issue the necessary provisions so that in the system for the transfer of individual death certificates, including those from medical-legal autopsies, the Ministry of Health's information subsystem shall have priority.

ARTICLE 522.- In cases where there is no medical certification of death, the informant who, due to their circumstantial connections or cultural conditions, offers the greatest guarantee of the veracity of the information they provide must be chosen from among the possible informants. See Concept. Response from the District Health Secretariat to consultation No. 93342. Corpses. CJA02600000

Certificate of Fetal Death.

ARTICLE 523.- The Fetal Death Certificate must contain at least the following parts:

- a. A first part that records as main data the place and date of fetal death, sex of the product, time of death in relation to delivery, singleton or multiple product, sexes in cases of multiple products, gestational age in weeks, legitimacy or illegitimacy, age and profession of the mother, and place where the fetal expulsion occurred;
- b. A second part devoted exclusively to the medical certification of death, which shall include: the immediate cause of death, antecedent causes, the underlying or fundamental cause, other pathological conditions of the fetus or mother that contributed to death but were unrelated to the disease that caused it, chronological and correlated course of the evolution of each cause and of fetal death, indication of the physician issuing the certificate, whether he or she is the treating physician, the one performing the autopsy, or acting as an informant, and name, address, signature, and number of the medical registry certifying;
- c. A third section recording the following information concerning death without medical certification probable cause of death, explanation of the absence of medical certification, identification, address, and profession of the informant, and
- d. A fourth part for recording the following information:

The registration number of the fetal death certificate, which shall correspond to that of the burial license; the place and date of registration; and the authority that registers the death and issues the burial license.

ARTICLE 524.- In cases where death occurs in a hospital or similar establishment, the certificate must be issued by the person to whom the institution delegates this function.

ARTICLE 525.- The fetal death certificate must be completed, except in cases of force majeure, by the physician who attended the case and, in the event of an autopsy, it must be the physician who performs the autopsy who certifies, primarily, the cause of death.

ARTICLE 526.- The Ministry of Health shall:

- a. Determine the means to be employed by a physician other than the attending physician, if an autopsy is not performed to determine the probable cause of fetal death.
- b. Issue the necessary provisions so that the stillbirth certificate is issued without causing any expense to the person requesting it;
- c. Require the presentation of the stillbirth certificate as an essential condition for issuing the corresponding burial license;
- d. Issue the necessary provisions so that in the system for the transfer of fetal death certificates, including those from medico-legal autopsies, the Ministry of Health's information subsystem has priority, and
- e. In cases of fetal death without medical certification, the informant who, due to their connection to the event or their cultural background, offers the best guarantee of the accuracy of the information must be chosen from among the possible informants.

#### AUTOPSIES.

ARTICLE 527.- The Ministry of Health shall:

- a. Determine the scientific requirements that must be met by personnel authorized to perform medical, educational, or investigative autopsies, viscerotomies, and the collection of tissue or organic fluid samples;
- b. Determine the staffing requirements that scientific institutions, hospitals, or similar establishments must meet in order to be authorized to carry out the aforementioned research;
- c. Establish the circumstances under which viscerotomies or the collection of tissue or organic fluid samples may be performed outside authorized establishments;
- d. Establish the appropriate time, in relation to the time of death, at which such procedures should be performed in order for the scientific information they provide to be adequate; and
- e. In cases of health emergencies, or in cases where public health or scientific research so requires, order or authorize the institutions mentioned in this article to perform the procedures in question, even in the absence of consent from the bereaved.

ARTICLE 528.- Only scientific institutions and hospitals or similar establishments authorized by the Ministry of Health may dispose of unclaimed corpses or organs thereof for teaching or research purposes. See Concept.

Response from the District Health Secretariat to consultation No. 93342. Corpses. CJA02600000

#### TRANSFER OF CORPSES.

ARTICLE 529.- The Ministry of Health shall:

- a. Determine the general requirements that must be met when the transfer takes place within the national territory and, particularly in this case, those related to the preservation of corpses, taking into account the following factors:

1. Cause of death, duly certified.
  2. Time of transfer in relation to the time of death.
  3. Duration of the transfer.
  4. Means of transport of the corpse, and
  5. Weather conditions at the place of death, in the regions of transit, and at the destination that may influence the development of putrefaction phenomena;
- b. Determine, in accordance with existing international agreements, the systems for preserving bodies when they are transported outside the nation's borders;
  - c. Establish the requirements to be met by persons and establishments authorized to embalm corpses and determine the most appropriate techniques;
  - d. In accordance with international conventions, establish the conditions that coffins and their packaging must meet in terms of number, manufacturing materials, and airtightness when the transfer is made outside the country;
  - e. Determine the requirements that vehicles used to transport corpses must meet, and
  - f. Establish the health requirements that must be met before the nation's consulates so that they can authorize the transport of corpses to the country, regulating the corresponding verification by the Port Health Authorities.

**BURIAL.**

ARTICLE 530.- No burial may take place without the corresponding license issued by the competent authority. ARTICLE 531.- The license for burial shall be issued exclusively in an authorized cemetery.

ARTICLE 532.- The Ministry of Health shall:

- a. Determine the requirements that must be met to obtain a burial license, taking into account, among other things, the need to present a death certificate;
- b. Establish the rules and time of burial, subject to the following factors:
  1. Time of death,
  2. Cause of death,
  3. Climatic characteristics of the place of death that may influence the process of decomposition, and
  4. Previous embalming.
- c. Indicate under what circumstances, for health reasons, the burial may be ordered to be brought forward or postponed;
- d. Determine the health requirements that must be met by establishments used for the temporary storage or handling of corpses;
- e. Establish exceptions to these rules, such as disasters and health emergencies, and
- f. When deemed necessary, establish a system for the cremation of corpses, setting the health and technical requirements that must be met by establishments engaged in this procedure.

ARTICLE 533.- The cremation of surgical specimens that have been previously studied anatomopathologically or of human body parts from autopsies is mandatory.

PARAGRAPH.- If the byproducts of childbirth are not to be used for scientific purposes, they must be cremated.

ARTICLE 534.- Determine the issuance of cremation licenses in accordance with those established in this same chapter for burial licenses.

**EXHUMATION.**

ARTICLE 535.- No exhumation shall be permitted without the respective Health License issued by the competent authority. ARTICLE 536.-

The Ministry of Health shall:

- a. Establish the time interval that must exist between burial and exhumation of human remains, subject to the following

factors:

1. Climate of the location;
  2. Place of deposit of the corpse, whether in the ground or in a vault, and
  3. Previous embalming.
- b. Determine the health-related cases in which the early exhumation of a body may be ordered for epidemiological research purposes;
  - c. Determine the sanitary requirements that must be met in cases of exhumations ordered by the judicial authority;
  - d. Establish the requirements that must be met in terms of manufacturing materials and airtightness for urns intended to receive exhumed remains;
  - e. Establish the cremation system for waste from exhumation and regulate its technical application; and
  - f. Establish the sanitary requirements that must be met by places other than authorized cemeteries, intended for the permanent storage of exhumed remains.

#### CEMETERIES.

ARTICLE 537.- All cemeteries shall require a license to operate.

ARTICLE 538.- For the approval mentioned in the previous article, the following aspects must be considered:

- a. Location of cemeteries in relation to urban areas, in cases where this is not covered in the corresponding development plans;
- b. That the location of cemeteries in relation to the general conditions of the land, its water table, and its prior sanitation; waste disposal, feasibility of complementary public services, and ease of land communications, complies with the rules established in this Law;
- c. The location of the cemetery in relation to the prevailing wind direction;
- d. Control the domestic use of groundwater that originates from or circulates through the subsoil of cemeteries;
- e. That the structure of cemeteries, insofar as they are applicable to this type of construction, complies with the standards established in this Law;
- f. The capacity of cemeteries shall be calculated in accordance with the demographic indices of the location;
- g. The area and depth of the graves themselves, the distance between them, and the circulation areas between them, and
- h. The characteristics that vaults must have in terms of construction material, dimensions, wall thickness, location, number, and ventilation.

ARTICLE 539.- The Ministry of Health shall:

- a. Establish the circumstances under which a cemetery shall be declared saturated, or in which it shall be eradicated for not meeting the required sanitary conditions, and
- b. Issue the necessary provisions so that cemetery administrators, regardless of the agency or entity to which they report, are subject to the above rules.

The donation or transfer of organs, tissues, and organic fluids from corpses or living beings for transplants or other therapeutic uses.

ARTICLE 540.- Any scientific, hospital, or similar institution that intends to use transplant methods or organic elements for therapeutic purposes must obtain the corresponding license from the health authority after verification that its facilities are adequate, its scientific teams are trained, and that, based on universally accepted research and experience, the therapeutic act will not pose a risk, other than that inherent in the procedure, to the health of the donor or recipient.

PARAGRAPH.- [Amended by Article 1, Law 73 of 1988](#) The use of the organic elements referred to in this article may only be authorized when there is consent from the donor, the recipient, consent from the relatives, or abandonment of the corpse.

ARTICLE 541.- The Ministry of Health shall establish the requirements for the death certificate in cases where organic elements of the corpse are to be used, taking into account:

- a. That the certificate be issued by more than one physician, and

b. That those who certify the death are physicians other than those who will use the organic elements.

ARTICLE 542.- The Ministry of Health shall:

- a. Determine, after consulting with scientific societies related to this matter, which negative signs of life or positive signs of death, in addition to those of brain death, should be counted by those who issue the death certificate, and
- b. After the aforementioned consultation, determine in which exceptional cases signs of brain death may be accepted, to the exclusion of others, to certify death.

ARTICLE 543.- For the purposes of donation or transfer of organs, tissues, or organic fluids by a living person, the Ministry of Health shall establish which certifications must be presented to scientifically prove that the act does not constitute a risk, other than that inherent in the procedure, to the health of the donor or the potential recipient.

ARTICLE 544.- Only establishments dedicated to the extraction, transfusion, and preservation of whole blood or its fractions may operate when they meet the scientific health and staffing conditions established in this Law and its regulations.

ARTICLE 545.- The export of blood or blood components is prohibited, except in the cases of exception established by this Law. The handling and control of surgical specimens obtained for therapeutic or diagnostic purposes.

ARTICLE 546.- The Ministry of Health shall:

- a) Determine the minimum scientific and technical requirements to be met by persons and establishments practicing anatomico-pathological studies;
- b) Establish standards for the preservation, transport, storage, and final disposal of organs, tissues, and body fluids or living beings for transplantation or other therapeutic uses in order to eliminate any risk to the health or well-being of the community;
- c) The results of anatomical pathology studies carried out in establishments other than the one where the surgical procedure was performed must be made known to the treating physician and the referring institution;
- d) Establish the necessary information systems so that the diagnoses made through these anatomico-pathological studies are promptly brought to the attention of the health authorities and adequately fulfill the stated objective.

ARTICLE 547.- Surgical specimens obtained in establishments that do not have Anatomical Pathology services must be sent for study to the institutions determined by the Ministry of Health.

TITLE X ARTICLES

FOR DOMESTIC USE

PURPOSE.

ARTICLE 548.- This title establishes standards for household items necessary for the prevention of adverse health effects.

GENERAL PROVISIONS.

ARTICLE 549.- Importers, manufacturers, transporters, and merchants of household items shall be subject to the provisions of this Law and its regulations.

The Ministry of Health and the entities to which it delegates are responsible for the sanitary control of household items that are imported, manufactured, or traded in the country, as well as the raw materials used in their manufacture.

ARTICLE 550.- For the purposes of this title, the following are considered household items:

- a. Products intended for cleaning objects and surfaces, such as laundry soap, floor wax, and metal polish. Toilet soap and similar products are not included, as they are considered cosmetics;
- b. Products for coating the surfaces of buildings, materials, or household objects, such as paints, lacquers, varnishes, dyes, paint bases, and similar products;
- c. Air fresheners;
- d. Propellants;
- e. Glues and adhesives;

- f. Matches;
- g. Dining or kitchen utensils;
- h. Household appliances;
- i. Domestic combustion equipment for cooking or heating;
- j. School supplies;
- k. Toys;
- l. Furniture, and
- m. Others that, due to their accessibility to the public and their importance to health, are determined by the Ministry of Health.

ARTICLE 551.- The importation, manufacture, and sale of household items must comply with the following requirements:

- a. Not contain or release toxic substances in concentrations higher than those technically permissible;
- b. Have characteristics that, under normal use, do not affect the health or safety of persons;
- c. Comply with the technical safety requirements established by the competent authorities, and
- d. Any others established by the Ministry of Health for health protection purposes.

ARTICLE 552.- The Ministry of Health shall determine which household items or raw materials used in their manufacture may pose a health risk and may restrict or prohibit their manufacture, sale, or use.

ARTICLE 553.- The Ministry of Health shall establish the permissible concentration limits for hazardous substances in household items that so require.

ARTICLE 554.- Toys that can be easily disassembled or are made of fragile materials containing dangerous internal elements shall be adequately protected to prevent damage to the health or safety of users.

ARTICLE 555.- All items mentioned in this title must be registered in order to be manufactured, sold, or imported, in accordance with the provisions established in the regulations of this Law.

#### CONTAINERS AND PACKAGING.

ARTICLE 556.- The Ministry of Health shall determine the characteristics of containers or packaging for household items that require it for health protection, as well as the classification of pressurized containers according to their categories of use, and shall issue the necessary regulations to ensure their safe use.

ARTICLE 557.- The standards established in this title and its regulations for pressurized containers for household items shall also apply to those intended to contain food or cosmetics.

#### LABELING AND ADVERTISING.

ARTICLE 558.- In order to adequately inform the public about the characteristics of household items that pose a health risk and the precautions that must be taken for their use, they shall be labeled in accordance with the regulations issued for this purpose by the Ministry of Health.

PARAGRAPH.- The information, instructions, or warnings on the labels referred to in this article shall be clearly legible and written in Spanish.

ARTICLE 559.- The sale of the items mentioned in this title without labels or with incomplete or damaged labels is prohibited.

ARTICLE 560.- The generic names applied to household items must be consistent with their characteristics of use and quality specifications.

ARTICLE 561.- The trade names of household items, advertising, or any other information provided to the public may not give rise to confusion or error regarding their true nature, properties, and uses.

ARTICLE 562.- Registrations or licenses granted by the Ministry of Health for household items may not be used for advertising purposes or as a guarantee of safety. The only permissible reference is the publication of the registration or license number.

#### DINING AND KITCHEN UTENSILS.

ARTICLE 563.- Dining and kitchen utensils offered for sale for domestic use shall comply with the rules and regulations of Title V of this Law.

TITLE XI

[Partially regulated by National Decree 2257 of 1986.](#)

SURVEILLANCE AND CONTROL

GENERAL PROVISIONS.

ARTICLE 564.- It is the responsibility of the State, as regulator of economic life and guide for health conditions, to issue the necessary provisions to ensure adequate hygiene and safety in all activities, as well as to monitor compliance through the health authorities.

ARTICLE 565.- The Ministry of Health is responsible for formalizing Colombian technical standards for all products covered by this Law. To this end, it may request the opinion of the National Council for Standards and Quality or of legal or natural persons knowledgeable in the subject matter in question.

ARTICLE 566.- The establishment of industries that do not comply with the provisions of this Law is prohibited. For industries already in operation when this Law comes into force, the necessary time limits shall be granted to comply with its provisions.

LICENSES.

ARTICLE 567.- For the occupation of any permanent dwelling and for the installation and operation of any establishment, a Health License issued by the Ministry of Health or by the entity to which it delegates such function is required. See Circular No. 026/19.02.97. District Health Secretariat. Health Licenses. CJA14951997

PARAGRAPH.- The Ministry of Health may exempt dwellings and establishments whose activity, in its opinion, does not require it from compliance with the requirement set forth in this article.

ARTICLE 568.- The Health License must be issued after verification of compliance with the provisions of this Law and its regulations and must be renewed at the intervals established.

PARAGRAPH.- In compliance with this article, visits may be made, and minutes shall be taken in which all relevant recommendations and observations shall be recorded. A copy of the aforementioned minutes shall remain in the possession of the interested party.

ARTICLE 569.- The granting of the license does not exempt the interested party from liability for damages caused as a result of the activity carried out in the dwelling or establishment covered by the license.

ARTICLE 570.- The Ministry of Health or the delegated entity shall periodically monitor compliance with the provisions of this Law in dwellings and establishments subject to Health Licenses and shall renew or suspend them in the event of non-compliance with these requirements.

ARTICLE 571.- The Health License referred to in this chapter replaces the health permit.

REGISTRATION.

ARTICLE 572.- The Ministry of Health may, ex officio or at the request of any person, after completing the legal procedures, proceed to study the cancellation of registrations of those products referred to in this Law that do not comply with the conditions required for that purpose.

ARTICLE 573.- For periodic control and renewal of the registration, samples shall be taken by personnel of the National Health System, at the factory, warehouse, or store.

PARAGRAPH.- A report signed by the parties involved shall be drawn up for each sample taken, stating the sampling method and the number of samples taken.

If the owner or manager of the establishment refuses to sign the respective report, it shall be signed by a witness instead.

ARTICLE 574.- The Ministry of Health may establish special conditions for the handling, use, and sale of products that require it due to their toxicity or special conditions of use.

ARTICLE 575.- State agencies shall cooperate in monitoring compliance with the health regulations of this Law within their respective areas of competence.

Only laboratory analyses carried out by the agencies responsible for control or those officially designated by the Ministry of Health shall be valid for the control of compliance with the provisions of this Law.

SAFETY MEASURES.

ARTICLE 576.- The following may be applied as safety measures aimed at protecting public health:

- a. Temporary closure of the establishment, which may be total or partial;
- b. Partial or total suspension of work or services;
- c. The confiscation of objects and products;
- d. The destruction or denaturation of items or products, if applicable; and
- e. The freezing or temporary suspension of the sale or use of products and objects, while a final decision is made in this regard.

PARAGRAPH.- The measures referred to in this article shall be immediately enforceable, shall be preventive and temporary in nature, and shall be applied without prejudice to any applicable penalties.

[See Article 40, National Decree 1545 of 1998](#)

#### SANCTIONS.

ARTICLE 577. Initiation of disciplinary proceedings. The competent authority shall initiate disciplinary proceedings in cases where there is evidence of an alleged infringement or violation of the health regime. In the case of products, establishments, and/or services classified as low risk, proceedings shall only be initiated when, in addition to evidence of the alleged infringement, there are indications that the product has been released on the market or it has been determined that health and safety measures have not been complied with.

For the purposes of classifying a product, establishment, and/or service as low risk, the criteria, standards, and regulations formulated at the national level and adapted at the territorial level must be met.

The entity responsible for enforcing health regulations shall impose, by administrative act, one or more of the following sanctions, depending on the seriousness of the offense:

- a. Warning;
- b. Successive fines up to an amount equivalent to 10,000 times the current legal monthly minimum wage;
- c. Confiscation of products;
- d. Suspension or cancellation of registration or license; and
- e. Temporary or permanent closure of the establishment, building, or service in question. ([Amended by Art. 98 of Decree 2106 of 2019](#))

ARTICLE 578.- When non-compliance with the provisions of this Law results in risks to human health, such fact shall be publicized in order to warn users.

ARTICLE 579.- Payment of fines does not exempt the offender from carrying out the work, works, or measures of a sanitary nature that have been ordered by the entity responsible for control.

ARTICLE 580.- Administrative sanctions imposed by the health authorities do not exempt the offender from civil or criminal liability for violations of the provisions of the Law.

ARTICLE 581.- When an establishment or company requires two or more types of licenses to operate, the Ministry of Health may grant one that covers all those required.

ARTICLE 582.- In exercising their power to monitor compliance with the provisions of Title I of this Law and the regulations derived from it, the agencies of the National Health System shall be responsible for:

- a. Monitor the discharge of waste by public or private entities;
- b. Perform physical-chemical and bacteriological analyses of receiving sources;
- c. Inspect establishments, facilities, and systems that produce or emit waste;
- d. Provide assistance as requested in the development of treatment system projects;
- e. Coordinate and indicate priorities in national or foreign financing plans for the construction of treatment systems;
- f. Carry out sanitation campaigns for the preservation of the environment;
- g. Conduct and promote research aimed at improving pollution control methods;

h. Request the collaboration of other public or private entities in obtaining information related to environmental pollution in the Republic and the most recommended measures for its control;

i. Study and propose to municipalities, in collaboration with other competent bodies, the minimum requirements for the approval of industrial and commercial establishments and the standards on discharges that must be observed in the preparation of urban and regional master plans.

The Ministry of Health may delegate all or part of the powers referred to in the previous article to the entities of the National Health System, when it deems it appropriate.

For the purposes referred to in paragraphs a), b) and c) of the previous article, the agencies of the National Health System shall carry out the observations, analyses and determinations in the industrial processes and discharges they deem appropriate and take the relevant measures for their control and monitoring, within the provisions of this Law and its regulations. Public or private sewerage and sanitation companies shall be subject to the same treatment.

ARTICLE 583.- Any natural or legal person, whether public or private, who is discharging waste, treated or untreated, into the environment, must report this fact to the competent agency of the National Health System.

ARTICLE 584.- Any person who has knowledge of a waste discharge into the environment that has not been reported in accordance with the provisions of the previous article shall report it to the competent agency of the National Health System in the locality.

ARTICLE 585.- The natural or legal person who delivers water to the user is responsible for its quality, in accordance with the provisions of this Law.

The design, construction, operation, management, and maintenance of drinking water systems must be carried out by expert personnel.

ARTICLE 586.- Companies that supply bottled water for human consumption, whether raw or purified, are subject to compliance with the provisions of this Law.

ARTICLE 587.- The Ministry of Health and the agencies of the National Health System are responsible for monitoring and enforcing compliance with the provisions of this Law for pyrotechnic articles.

The license issued by the Ministry of Health in accordance with the provisions of the Law for these articles does not exempt the interested parties from complying with the provisions established by the national defense authorities for such activities.

ARTICLE 588.- The Ministry of Health shall direct the inspection and control of food, beverages, drugs, medicines, cosmetics, and related products, food or beverage factories, pharmaceutical establishments, cosmetics laboratories, narcotics, and psychotropic drugs subject to restriction in accordance with the provisions of this Law.

ARTICLE 589.- Compliance with the prohibition on advertising drugs and medicines by means of street cries, loudspeakers, wall advertisements, flyers, posters, and billboards shall be monitored by mayors and police inspectors.

ARTICLE 590.- For the purposes of Title VII of this Law, the World Health Organization (WHO), through its regional office for the Americas, the Pan American Health Organization (PAHO), is recognized as the International Health Authority with powers to monitor compliance with health commitments at the international level.

ARTICLE 591.- For the purposes of Title VII of this Law, the following are preventive health measures:

- a. The isolation or hospitalization of persons to prevent the transmission of disease. Such isolation shall be based on a medical certificate issued by the health authority and shall be prolonged only for the time strictly necessary for the danger of contagion to disappear;
- b. Capture and observation of animals suspected of having communicable diseases;
- c. Vaccination of persons and animals;
- d. Control of insects or other harmful or disease-transmitting fauna;
- e. Suspension of work or services;
- f. Retention or safekeeping of objects, and
- g. Eviction or removal from establishments or dwellings.

ARTICLE 592.- In the event of suspected zoonosis, the competent health authority may order the individual or mass capture of suspect animals, to subject them to observation in a suitable location, for sanitary disposal or treatment, and may also order and carry out vaccinations of animals when deemed necessary.

The Ministry of Health may order the vaccination of persons who are exposed to contracting diseases in the event of a serious epidemic.

ARTICLE 593.- The competent health authorities may:

- a. Order and carry out disinfection, insect control, or rodent control measures when they deem it appropriate or necessary;
- b. Order the suspension of work and services when they pose a health hazard to individuals and the community;
- c. Retain or place in storage objects that pose health risks to individuals or the community; and
- d. Order the evacuation or eviction of establishments or dwellings when they threaten the health of individuals.

TITLE XII

RIGHTS AND DUTIES RELATING TO HEALTH

ARTICLE 594.- Health is a matter of public interest.

ARTICLE 595.- Every inhabitant has the right to health benefits, as determined by special laws and regulations, and the duty to preserve their health and contribute to the maintenance of the health of the community.

ARTICLE 596.- Every inhabitant has the right to live in a healthy environment in the manner determined by special laws and regulations and the duty to protect and improve the environment around them.

ARTICLE 597.- This and other laws, regulations, and provisions relating to health are of public order.

ARTICLE 598.- Every person must ensure the improvement, preservation, and recovery of their personal health and the health of the members of their household, avoiding harmful actions and omissions and complying with the technical instructions and mandatory rules issued by the competent authorities.

ARTICLE 599.- Every person has the right to obtain from the competent officials the necessary information and appropriate instructions on matters, actions, and practices conducive to the promotion and preservation of their personal health and that of their household members, particularly on hygiene, proper diet, psychological counseling, mental hygiene, sex education, communicable diseases, family planning, early diagnosis of diseases, and on practices and the use of special technical devices.

ARTICLE 600.- Every person, and in particular those who are about to marry, may request from the competent health services health certificates attesting, through the necessary examinations, that they do not suffer from any communicable or chronic disease or special conditions that could endanger the health of third parties or their offspring.

ARTICLE 601.- It is prohibited for any person to trade in food provided by official or private institutions as dietary supplements.

ARTICLE 602.- All schoolchildren must undergo preventive medical and dental examinations and participate in health education and complementary nutrition programs offered by public and private educational establishments.

ARTICLE 603.- Every person has the right to preventive health examinations and early diagnosis services for chronic diseases and must, in all cases, undergo them when the health authority so requires.

ARTICLE 604.- It is the obligation of every person to diligently avoid personal accidents and those of persons in their care, and to that end, they must comply with the special or general safety provisions issued by the competent authorities and adhere to the instructions contained in the labels or accompanying the risky or dangerous agent regarding its preservation, use, storage, and contraindications.

ARTICLE 605.- No person shall trade in medicines and other goods provided by public institutions to sick, disabled, or incapacitated persons for the purposes of their treatment or rehabilitation.

ARTICLE 606.- No person shall act or assist in acts that pose a danger, impairment, or harm to the health of third parties or the population.

ARTICLE 607.- This Law shall come into force upon its enactment and repeals any other provisions that contradict it.

Given in Bogotá, D. E., on January 24, 1979.

REPUBLIC OF COLOMBIA. NATIONAL GOVERNMENT.

PUBLISH AND EXECUTE.

THE PRESIDENT OF THE REPUBLIC,

JULIO CÉSAR TURBAY AYALA.

THE MINISTER OF HEALTH,

ALFONSO JARAMILLO SALAZAR.

NOTE: Published in the Official Gazette \*\* of \*\*\* \*\* of 1979.

---

Date and time of creation: 2026-02-04 21:57:51