FSSAI asks states to strictly comply with SC ban on sale of gutka containing tobacco

FSSAI says some states were violating the SC order banning the sale of gutka and pan masala containing tobacco or nicotine.

According to the Food Safety and Standards (Prohibition and Restrictions on sales) Regulations, 2011, issued by the FSSAI, tobacco and nicotine shall not be used as ingredients in any food products. Photo: HT

**New Delhi:** The Food Safety and Standards Authority of India (FSSAI) has directed all states to strictly comply with the Supreme Court order banning the sale of gutka and pan masala containing tobacco or nicotine, saying some states were violating the order.

“It has come to the notice of FSSAI that the prohibited substances i.e. gutkha and pan masala containing tobacco and/or nicotine as ingredients are available for sale in some states and union territories despite those states...
having issued notifications banning the same,” said Rajesh Singh, director (regulatory compliance division), FSSAI, in a letter to the commissioners of food safety and officers-in-charge of food safety of all states and union territories. *Mint* has seen a copy of the letter.

According to the Food Safety and Standards (Prohibition and Restrictions on sales) Regulations, 2011, issued by the FSSAI, under the Food Safety & Standards Act, 2006, tobacco and nicotine shall not be used as ingredients in any food products.

The ministry of health & family welfare in December 2016 had issued a complete ban on the production, promotion and sale of food products containing tobacco and nicotine as ingredients across India. These included gutka, pan masala, zarda and tobacco-based flavoured mouth fresheners.

The move followed a Supreme Court order of 23 September 2016, banning chewing tobacco products. While Bihar, Karnataka, Mizoram, Kerala and Madhya Pradesh have issued orders in compliance of the apex court’s order, several states are yet to follow suit, officials at FSSAI said.

The apex Court had also directed the statutory authorities and secretaries (health department) of all states and UTs to file their affidavits on the issue of total compliance of the ban. The manufacture, storage, distribution and sale of gutka and pan masala containing tobacco or nicotine or any other products with these ingredients is prohibited.

Tobacco use is the foremost preventable cause of death and disease in India and globally. As per the Global Audit Tobacco Survey—India (GATS) 2010, over 200 million Indians consume smokeless tobacco (through chewing for instance), making the burden of mortality and morbidity from these products very high in India.

Available evidence suggests that India has the highest incidence of oral cancer in the world.