

## Notification

Health and Family Welfare Department,  
Sachivalaya, Gandhinagar.

Dated the 28th August, 2012.

Food Safety  
and Standards Act,  
2006.

No. FSSA/Notification/ 266 /A:- WHEREAS, in the research done at Tata Memorial Hospital, it is observed that consumption of Gutka and Pan Masala cause carcinogenic and co-carcinogenic effects;

AND WHEREAS, the joint studies conducted by Hamner and Tata Institute of Fundamental Research, it is revealed that consumption of Gutka leads to very high increased risk of oral Cancer;

AND WHEREAS, the survey conducted by the Global Adult Tobacco Survey of India (GATS) in the year 2009-10 reveal that 35% adults use tobacco in any one of the forms, out of which 21% are found to be consuming smokeless tobacco;

AND WHEREAS, several Non-Government Organisations have also reported to the State Government to put complete ban on the sale of Gutka and Pan Masala in the State of Gujarat;

AND WHEREAS, Gutka and Pan Masala known by any name are articles of food which contain tobacco and nicotine as ingredients and consumption of such products is injurious to health and thus contravenes the provisions of regulation 2.3.4 of the Food Safety and Standards (Prohibition and Restriction on Sales) Regulations, 2011;

AND WHEREAS, it is expedient to prohibit in the interest of public health, the manufacture, storage, distribution and sale of Gutka and Pan Masala in which tobacco or nicotine is widely used as an ingredient and are sold in the State of Gujarat;

AND WHEREAS, the Commissioner of Food Safety is empowered under section 30 of the Food Safety and Standards Act, 2006 to prohibit, in the interest of public health, the manufacture, storage, distribution or sale of any articles of food either in the whole of the State or any area or part thereof;

NOW THEREFORE, I, the Commissioner of Food Safety, Gujarat State, in exercise of the powers conferred by clause(a) of sub-section (2) of section 30 of the Food Safety and Standards Act, 2006 (Act No. 34 of 2006), in the interest of public health, hereby

prohibit the manufacture, storage, distribution or sale of Gutka and Pan Masala known by any names containing tobacco or nicotine as an ingredient available in the market and any other products marketed separately to constitute as Gutka or Pan Masala as final product in the whole of the State of Gujarat, for a period of one year on and from 11<sup>th</sup> September, 2012. However, the said prohibition shall not be applicable in respect of 100% export oriented units.



(Dr. H.G. Koshia)

Commissioner of Food Safety,

Gujarat State.

- . Copy to,
- The Principle Secretary to the Hon. Governor of Gujarat. Raj Bhavan, Gandhinagar
  - The Principle Secretary to the Hon. Chief Minister, Chief Minister's Secretariat, Sachivalaya, Gandhinagar
  - The personal Secretary to the Minister/Minister of State, Government of Gujarat.
  - The Secretary, Gujarat Legislative Secretariat, Gandhinagar.
  - All Departments of Secretariat, Government of Gujarat, Gandhinagar.
  - The Registrar, Gujarat High Court, Ahmedabad.
  - All Collectors/ District Development Officers.
  - The Director of Information, Gandhinagar...with request to arrange for wider publicity
  - The Nodal Officer, tobacco Cell, Commissioner of Health, Medical Services and Medical Education, Dr. Jivaraj Maheta Bhavan, Gandhinagar to necessary action.
  - All the Heads of department under the control of Health and Family Welfare Department.
  - The Manager, Government press, Gandhinagar with request to publish the Notification in Govt. Gazzet (ordinary) and sent 50 copies to Health and Family Welfare Department, Sachivalaya, Gandhinagar and 100 copies to the Commissioner, Food and Drugs Control Administration, Gandhinagar.
  - All Assistant Commissioner, Food and Drugs Control Administration.
- Select file.