

GOVERNMENT OF MEGHALAYA  
HEALTH & FAMILY WELFARE DEPARTMENT  
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ORDERS BY THE GOVERNOR

NOTIFICATION

Dated Shillong, 21<sup>st</sup> June, 2019.

No. Health.84/2019/35:-1. Electronic Nicotine Delivery Systems (ENDS) are devices that heat a solution to create an aerosol which frequently also contains flavours, usually dissolved into propylene Glycol or/and Glycerin. Electronic cigarettes, the most common prototype, are devices that do not burn or use tobacco leaves but instead vaporize a solution mainly nicotine, which the user then inhales.

2. It is evident that Electronic Nicotine Delivery Systems (ENDS) including e-Cigarettes, Heat-Not-Burn devices, Vape, e-sheesha, e-nicotine, electronic and flavoured hookah, and the like devices or products available by whatsoever name, that enable nicotine delivery or its use. ENDS users get exposed to the chemicals like nitrosamines, benzene, ethylene oxide, and acrylamide etc. linked to cancer and/or nervous system damage, among other health effects.

These products pose a great health risk to public at large, especially to children, adolescents, pregnant women and women of reproductive age.

3. Whereas, nicotine is prohibited as an ingredient in any food item under the Food Safety and Standards (Prohibition and Restrictions on Sales) Regulation, 2011 of the Food Safety and Standard Act 2006; and listed as hazardous chemical in the Manufacture, Storage and Import of Hazardous Chemical Rules, 1989; also listed as an insecticide under the Insecticide Act 1968.

1. And whereas, the scientific evidence regarding the effectiveness of ENDS as a cessation aid is scant and of low certainty, making it difficult to draw credible inferences. The Drugs and Cosmetics Act, 1940 & Rules, 1945 permit the use of Nicotine up to 2 mg and 4 mg in gums, lozenges and strips (7/14/21mg), which may be used as aids for Nicotine Replacement Therapy (NRT). ENDS are not yet approved as NRTs under the Drugs and Cosmetics Act;

2. State Governments of Punjab[Vide Circular dated 5.9.13]; Karnataka [Vide Circular dated 15<sup>th</sup> June, 2016]; Mizoram [Vide Circular dated 8<sup>th</sup> June, 2016]; Kerala [Vide Order dated 1<sup>st</sup> August, 2016]; Jammu & Kashmir [Vide Circular dated 24<sup>th</sup> July, 2017]; Uttar Pradesh [Vide Order dated 14<sup>th</sup> November, 2017]; Bihar [Vide Order dated 28<sup>th</sup> November, 2017] have prohibited the manufacture, distribution, import and sale of Electronic Nicotine Delivery Systems (ENDS);

3. Whereas, the advisory of the Ministry of Health & Family Welfare, Government of India letter no.P-16012/19/2017 dated the 28<sup>th</sup> August, 2018 has advised the State/Union Territories to take action to prohibit ENDS.

Therefore, the Government hereby prohibit sale (including online sale), manufacture, distribution, trade, import and advertisement of Electronic Nicotine Delivery Systems (ENDS) including e-Cigarettes, Heat-Not-Burn devices, vape, e-sheesha, e-nicotine flavoured hookah, and the like devices that enable nicotine delivery in state with immediate effect.

Sd/-

(Pravin Bakshi, IAS)

Secretary to the Govt. of Meghalaya,  
Health & Family Welfare Department.

July 1655  
3/7/19

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copy for information:

1. P.S to the Hon'ble Minister, Health & Family Welfare Department for kind information of the Minister.
2. P.S to Chief Secretary to the Govt. of Meghalaya for favour of information of the Chief Secretary.
3. All Additional Chief Secretary, Health & Family Welfare Department to the Govt. of Meghalaya for favour of information.
4. Mission Director, National Health Mission, Meghalaya, Shillong.
5. Director of Health Services (MI)/(MCH & FW)(R) for favour of information.
6. Director of General of Police, Meghalaya, Shillong.
7. Director, National Tobacco Control Programme, Ministry of Health and Family Welfare, Government of India.
8. Commissioner,(Central Excise)/(Custom, M.G. Road, Shillong
9. Commissioner of Food Safety, Meghalaya, Shillong.
10. Member Secretary, State Pollution Control Board, Lumpyngngads, Shillong.
11. All Deputy Commissioner for information
12. Chief Executive Officer, Municipal Board, Shillong
13. Director Printing & Stationery, Meghalaya, Shillong for kind publication in the next issue of the Gazette
14. Assistant Drugs Controller, Meghalaya, Shillong.
15. Superintendents of Police, East Khasi Hills,Shillong/West Khasi Hills,Nongstoing/ West Jaintia Hills, Jowai/West Garo Hills,Tura/ East Garo Hills,Williamnagar/Ri-Bhoi District, Nongpoh/South Garo Hills, Baghmara/ South West Khasi Hills,Mawkyrwat/ East Jaintia Hills, Khliehriat/ Sout West Garo Hills,Ampati/ North Garo Hills,Resubelpara.
16. All District Medical & Health Officers
17. Dr.Lana E.Lyngdoh, Senior Dental Surgeon & State Nodal Officer NTCP, Meghalaya, Shillong for information.

Yours faithfully,

Under Secretary to the Govt. of Meghalaya,  
Health & Family Welfare Department.

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**GOVERNMENT OF MEGHALAYA  
HEALTH & FAMILY WELFARE DEPARTMENT**

**PUBLIC NOTICE**

**BAN ON E-CIGARETTES AND OTHER SIMILAR PRODUCTS**

**Attention All Manufacturer, Wholesalers, Traders, Importers, Stockists, Advertisers, and Retailers**  
Electronic Nicotine Delivery Systems (ENDS) commonly called Electronic cigarettes and other new technologies like Heat-Not-Burn devices, Vape, e-sheesha, e-nicotine, electronic and flavoured hookah, and other devices or products like them pose a great health risk to public at large, especially to children, adolescents, pregnant women and women of reproductive age.

Based on the advisory of the Ministry of Health & Family Welfare, Government of India (letter no.P-16012/19/2017 dated the 28<sup>th</sup> August, 2018) and the Government of Notification No.Health 84/ 2019 /35 dt.---5.2019 sale (including online sale), Manufacture, distribution, trade, import and advertisement of Electronic Nicotine Delivery Systems (ENDS including e-Cigarettes, Heat-Not-Burn devices, vape, e-sheesha, e-nicotine flavoured hookah, and the Cigarettes, Heat-Not-Burn devices, vape, e-sheesha, e-nicotine flavoured hookah, and the like devices is prohibited.

All Manufacturers, Wholesalers, Traders, Importers, Stockists, Advertisers, Marketing, agencies, Rétailers and the like are warned that trading in these products is illegal and is in violation of existing laws. Violators are liable to be prosecuted under existing provisions of law.

Sd/-  
(Pravin Bakshi, IAS)  
Secretary to the Govt. of Meghalaya,  
Health & Family Welfare Department.