

NOTIFICATION
Health and Family Welfare Department
Sachivalaya, Gandhinagar
Dated 10 September, 2018

Food Safety and Standards Act, 2006

NO. FSSA/NOTIFICATION/ 274-274 IA 2018:

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 Hammer and Tata Institute of Fundamental Research, it is revealed that consumption of Gutka leads to a 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% adult use tobacco in any one of the forms, out of which 21% are found to be consuming smokeless tobacco;

AND WHEREAS, several Non-Government Organizations 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 are injurious to health and thus contravenes the provisions of regulation 2.3.4 of the Food Safety and Standards (Prohibition and Restrictions on Sales) Regulation, 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 article of food either in the whole of the State or any area or part thereof; and accordingly the Commissioner of Food Safety, Gujarat State prohibited manufacture, storage, distribution and sale of Gutka and Pan Masala containing tobacco or nicotine in the State of Gujarat for a period of one year from 11th September 2012 vide notification No. FSSA/Notification/266/A, dated 28th August, 2012.

SUBSEQUENTLY, the Commissioner of Food Safety, Gujarat State prohibited manufacture, storage, distribution and sale of Gutka and Pan Masala containing tobacco or nicotine in the State of Gujarat for a period of one year, i.e. from 12th September, 2013 vide notification No. FSSA/Notification/161/A, dated 6th September, 2013 and for one more year i.e. from 12th September, 2014 vide notification No. FSSA/Notification/1960/A, dated 9th September 2014, and for one year from 12th September 2015, i.e. vide notification No. FSSA/Notification/93419/A dated 10th September 2015 and for one more year i.e. 12th September 2016 i.e. vide notification No. FSSA/Notification/106821/A dated 9th September 2016 and also for one year from 12th September 2017 i.e. vide notification No. FSSA/Notification/100669769/A/2017, dated 11th September 2017.

The Gutka and Pan Masala containing tobacco or nicotine if consume will and endanger human health; And 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 ingredients available in the market and any other products marketed separately to constitute as Gutka and Pan Masala as final product in the whole of the State of Gujarat, for a period of one year from 12th September, 2018. However, the said prohibition shall not be applicable in respect to 100 % export oriented units.


(Dr. H.G. Koshia)

Commissioner of Food Safety
Gujarat State, Gandhinagar

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