

Health -C-A (3)-4/2020

Dated: Shimla-2

24-02-2022.

NOTIFICATION

WHEREAS, regulation 2.3.4 of the Food Safety and Standards (Prohibition and Restrictions on Sales) Regulations, 2011 prohibits the use of Tobacco and Nicotine as ingredients in any food products;

AND WHEREAS Tobacco, containing Gutka or Pan Masala, Scented/ Chewing Pan Masala or Supari, Khaini, Masher, Zarda, etc. known by any names are injurious to health;

AND WHEREAS, Gutka is an article of food which contains Pan Masala and now-a-days contain Tobacco, Nicotine and Magnesium Carbonate as ingredients; and thus contravenes Regulation 2.3.4 of Food Safety and Standards (Prohibition and Restrictions on Sales) Regulations, 2011 as well as Regulation 3.1.7 of Food Safety and Standards (Food Products Standards and Food Additives) Regulations, 2011;

AND WHEREAS, Pan Masala is an article of food which contains Magnesium Carbonate as an ingredient and thus contravenes Regulation 3.1.7 of Food Safety and Standards (Food Products Standards and Food Additives) Regulations, 2011;

AND WHEREAS, it is expedient to prohibit the manufacture, storage, sale, distribution of products i.e. Gutka, Pan Masala, Scented/ Chewing, Supari, Khaini, Masher, Zarda etc. as final products containing Tobacco or Nicotine or Magnesium Carbante as ingredients;

AND WHEREAS, it has been observed that to circumvent the ban on sale of Gutka, the manufacturers are selling Pan Masala (without Tobacco) with flavoured chewing tobacco in separate sachets but often conjoint and sold together by the same vendors from the same premises, so that consumers can buy the Pan Masala and flavoured chewing Tobacco and mix them both and consume the same. Hence instead of the earlier "ready to consume mixes", chewing Tobacco companies are selling Gutka in twin packs to be mixed as one;

26-2-22

D.H.S.R.

OSD (BRUG/ENT)

OSD (INDT/SSA)

AD (HS)

AC (F&A)

DDA

DO

ADC

Supdt. (ESI)

SEPD (HSR)

*Manu / Anwar*



AND WHEREAS, I, the Food Safety Commissioner-cum-Secretary (Health) to the Government of Himachal Pradesh, in exercise of the powers conferred under clause (a) of sub-section 2 of Section 30 of the Act read with Regulation 2.3.4 and 3.1.7 of the aforesaid Regulations, prohibit the manufacture, storage, distribution, sale of Gutka or Pan Masala, Scented Chewing Pan Masala or Khaini, Masher, Zarda or any other products marketed separately to constitute a Gutka or Pan Masala a final product (Containing Tobacco or Nicotine) by whatsoever name called whether packaged or unpackaged and sold as one product, or though packaged in separate products, sold or distributed in the whole of Himachal Pradesh for a period of one year from the date of publication of this notification in the Rajpatra, Himachal Pradesh and further order that if the said products are manufactured, stored, sold/ distributed in the State of Himachal Pradesh, the persons doing so, will be proceeded/ penalized against as per the provisions of the Act ibid.

By Order

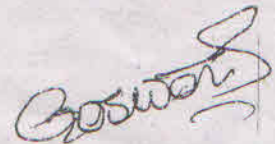
Commissioner (Food Safety)-cum-Secretary (Health) to the Government of Himachal Pradesh

Endst. No. Health-C-A(3)-4/2020

Dated Shimla-2 24-02-2022.

Copy forwarded for information and necessary action:-

1. The Registrar General, Himachal Pradesh, High Court, Shimla-1
2. The Director of Health Services, H.P. Shimla-9.
- ✓ 3. The Director, Health Safety and Regulation, H.P. Shimla-2.
4. The Director, General of Police, Himachal Pradesh, Shimla-2
5. All Deputy Commissioners, Himachal Pradesh.
6. All the CMOs/Medical Superintendents in Himachal Pradesh.
7. All Distt. & Sessions Judges in Himachal Pradesh.
8. All the Adjudicating Officer (FSSAI) in Himachal Pradesh
9. Guard file.



(Tek Chand Goswami)  
Under Secretary (Health) to the