

४ महाराष्ट्र शासन राजपत्र असाधारण भाग चार-क, जुलै २०, २०१२/आषाढ २९, शके १९३४

**COMMISSIONER OF FOOD SAFETY FOOD AND DRUGS
ADMINISTRATION**

GOVERNMENT OF MAHARASHTRA,

Survey No. 341, Bandra-Kurla Complex, Bandra (East), Mumbai
400 051, Dated 19th July 2012.

Order

FOOD SAFETY AND STANDARDS ACT, 2006.

No. FSSA/Notification/686-2012/7, — Whereas, 1173 samples of Gutka or Pan Masala were collected for test and analysis between the years 2003 to 2011 and, out of these samples, 1153 samples were found to contain Magnesium Carbonate as an ingredient in it;

And whereas, samples of Gutka or Pan Masala collected under the provisions of the Food Safety and Standards Act, 2006 (34 of 2006), were found to be containing Magnesium Carbonate as an ingredient;

And whereas, it is found that consumption of Gutka or Pan Masala for years together leads to Acute Hyper Magnesia and sometime leads to cardiac arrest; as well as in respect of research done at Tata Memorial Hospital, it is also observed consumption of Gutka or Pan Masala cause carcinogenic and co-carcinogenic effects;

And whereas, it is reported by the Dean of the Government Dental College, Nagpur that consumption of Gutka or Pan Masala, etc; causes oral sub mucous fibrosis and such patients are increasing, thus it is necessary to control it immediately;

And whereas, in the research at Tata Institute of Fundamental Research, it is observed that, due to consumption of Gutka or Pan Masala, there are chances of oral cancer;

And whereas, the joint study conducted by Dr. Hamner and Tata Institute of Fundamental Research, reveal that consumption of Gutka leads to very high increased risk of oral cancer;

And whereas, information received from the Government Dental College, Mumbai, reveal that chewing of Gutka leads to oral sub-mucous fibrosis and number of patients are remarkably increasing;

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, Tobacco containing Gutka or Pan Masala known by any names, are injurious to health ;

And whereas, Gutka is an article of food which contain tobacco and now-a-days contains Tobacco and nicotine and Magnesium Carbonate as ingredients; and thus contravening regulation 2.3.4 of Food Safety and Standards (Prohibition and Restriction on sales) Regulation, 2011 along with Regulation 3.1.7 of Food Safety and Standards (Food Products Standards and Food Additives) Regulation, 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) Regulation, 2011 ;

And whereas, it is expedient to prohibit the manufacture, storage, distribution or sale of Gutka or Pan Masala in the State of Maharashtra, being food products in which Tobacco and/or nicotine or Magnesium Carbonate, are widely used as ingredients ;

And whereas, the Commissioner of Food Safety for Maharashtra State 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 in the whole of the State ;

Now, therefore, I, the Food Safety Commissioner, Maharashtra 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 (34 of 2006), in the interest of public health, the manufacture, storage, distribution or sale of Gutka or Pan Masala, containing either tobacco and/or nicotine or Magnesium Carbonate as ingredients, by whatsoever name these are available in the market and any other products marketed separately to constitute as Gutka or Pan Masala, etc. as final products, are hereby, prohibited in the State of Maharashtra, for a period of one year from the date of publication of this Order in the Maharashtra Government Gazette.

MAHESH ZAGADE,
Food Safety Commissioner,
Food and Drugs Administration,
Maharashtra State.