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## Gutka companies get a kick by subverting the ban

**They are selling tobacco-less pan masala and sachets of tobacco separately**

July 22, 2013 12:45 pm | Updated November 17, 2021 06:05 am IST - Mangalore:

MOHIT M. RAO

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Companies sell tobacco-less pan masala and tobacco separately, claiming that chewable tobacco is not a food product. Photo: H.S.Manjunath

While gutka in its known form may be banned, its seemingly legal derivatives are still freely available. A multitude of colourful sachets hang in shops, and business is usual for shopkeepers. Although, the only difference though is that for a gutka-like kick one needs to buy multiple products. **“We no longer supply gutka. But you can mix these two,”** said a shopkeeper in Assaigoli on the outskirts of the city, pointing to two different coloured sachets.

Though the government has banned the sale and making of gutka and pan masala that contain tobacco or nicotine under the Food Safety and Standards (Prohibition and Restrictions on Sales) Regulations, 2011, on May 31, companies subvert the ban by selling tobacco-less pan masala and sachets of tobacco separately.

For Rs. 2, customers buy pan masala (with no tobacco, no nicotine printed clearly) and a small sachet of tobacco. Contents of the two are crushed between the palms, mixed well and then chewed. **“The taste is terrible. But you get used to it,”** said an autorickshaw driver, who was buying two such sachets in Bendoorwell here.

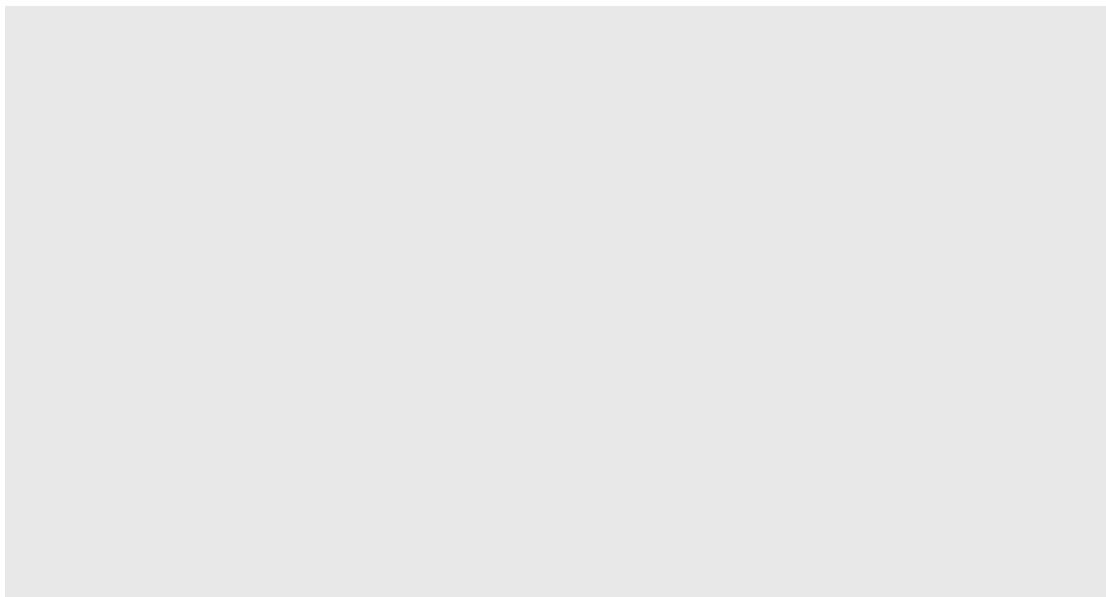
Though the sale of products such as these has reduced by half since the ban, Chandra, a shopkeeper in Marnamikatte, said many resorted to buying tobacco separately. **“At least 40 per cent of the customers buy sachets of pan masala and chewing tobacco... The ban is not effective unless chewing tobacco itself is banned.”**

The sale of chewable tobacco exploits a loophole in the wording of the Section 2.3.4 of the Regulation, which prohibits addition of tobacco to food, said Vishal Rao, Director, Cancer Prevention and Tobacco Control Project, Institute of Public Health, Bangalore.

**“This is a billion dollar industry that is looking at all the ways to flout the law. They claim chewable tobacco is not a food product. This is a technicality, and States are still waiting for a Supreme Court clarification on this,”** he said.

He said creating multiple names – Chaini, Zarda, among others – instead of labelling it as gutka was another way to create an “atmosphere of confusion” to circumvent the ban.

While claiming that gutka is not freely available in the district, B.V. Rajesh, Food Safety Officer, said that without a government order, they could not stop the sale of either pan masala or chewable tobacco.



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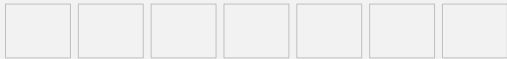
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