

‘Tobacco products don’t come under FSSAI’: Andhra Pradesh High Court

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Andhra Pradesh High Court. (File photo)

By [Express News Service](#)

VIJAYAWADA: The Andhra Pradesh High Court on Friday made it clear that the Food Safety Commissioner is not empowered to ban the production, stocking, supply, distribution and sale of tobacco products like gutka and pan masala under the Food Safety and Standards Act (FSSAI).

Hearing a petition filed by a few traders challenging the notification issued by the Food Safety Commissioner banning tobacco products production and sales, a division bench, comprising Chief Justice Prashant Kumar Mishra and Justice DVSS Somayajulu, said tobacco and tobacco products do not fall under the definition of food. Hence, FSSAI is not applicable to them and the Food Safety Commissioner has no power to ban the products.

The notification issued by the commissioner was struck off. The court reminded that had Parliament thought that tobacco and nicotine were harmful for human consumption, it could have enacted an Act itself banning them, but it did not happen.