

Nicotine level in cigarettes: Kerala high court tells Centre to clarify on notification

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KOCHI: High court has directed the central govt to file an affidavit on whether any notification has been issued specifying the maximum permissible limits of nicotine and tar content in cigarettes or other tobacco products under the Cigarettes and Other Tobacco Products (Prohibition of Advertisement and Regulation of Trade and Commerce, Production, Supply and Distribution) Act, 2003 (COTPA).

A bench of Chief Justice Soumen Sen and Justice V M Syam Kumar issued the order in a PIL filed by Sangeerthana of Elamakkara, Kochi, and three others seeking strict implementation of the prohibition on smoking in public places. During hearing on Thursday, the petitioners pointed out that in Kerala, cigarettes and other tobacco products were being sold without specifying the quantity of nicotine and tar and without mentioning the mandatory maximum permissible limits under the proviso to Sub Section 5 of Section 7 of COTPA.

In reply, the state govt asserted that this specific subsection of the Act has not yet been notified by the central govt and, in the absence of such action, the state law-enforcing agencies are not able to act against violators merely because the quantity of nicotine is not mentioned on the packets. Accordingly, HC asked the central govt to clarify whether it has set any permissible limit for nicotine and tar in cigarettes and other tobacco products. It also sought the assistance of the additional solicitor general in the matter. HC adjourned the petition to March 26, granting three weeks to Centre to file an affidavit in the matter.

The petitioners also sought a directive to the central and state govts to issue circulars mandating verification of identification cards while selling cigarettes and other tobacco products to ensure that purchasers are at least 18 years old. In addition, they sought directions to the Kochi city police commissioner and Kochi corporation to remove all cigarette advertisements within their respective jurisdictions.

Source: https://timesofindia.indiatimes.com/city/kochi/nicotine-level-in-cigarettes-kerala-hc-tells-centre-to-clarify-on-notification/amp_articleshow/129101285.cms