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Govt restricts import of e-cigarettes

OUR BUREAU

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The Ministry of Finance has directed the Customs Department to seize import of equipment that facilitates the electronic nicotine delivery system (ENDS) and hand them over to the Deputy Drug Controller for compliance with the Drugs and Cosmetics Act, 1940.

The Finance Ministry order comes even as the High Court recently quashed an advisory by the Ministry of Health to State governments to prohibit manufacture, distribution, sale (online) of ENDS and other related products unless the same complies with the Drugs and Cosmetics Act, 1940. Earlier, delivering the judgment on a petition filed by Piush Ahluwalia, a smoker, Justice Vibhu Bakhru said the advisory issued by the Central Government urging States to prohibit the sale of Electronic Nicotine Delivery System is not binding and State governments are at liberty to form their own norms.

Despite the High Court judgment, the Ministry of Finance issued a circular directing all Customs authorities to refer import consignments of ENDS including e-cigarettes, heat-not-burn devices, vape, e-sheesha, e-nicotine flavoured hookah and other similar devices to the Deputy Drug Controller in their jurisdiction.

The Deputy Drug Controller will clear the consignment after verifying its compliance under the Drugs and Cosmetics Act, 1940 and rules thereafter. Any violation of the law should be dealt with seriously, it added.

The Centre's move to restrict use of e-cigarettes comes even as government-owned insurance companies own about 22 per cent stake in ITC, the country's largest conventional cigarette maker.

Despite resistance from various quarters, government-owned insurance majors such as LIC, General Insurance Company, New India Assurance and Oriental Insurance cumulatively own 22 per cent stake in the cigarette major. Additionally, another government body Specified Undertaking of Unit Trust of India owns 8 per cent in ITC.