



Feedback from vendors on *gutka* ban in two States of India

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Background & objectives: Beginning in 2012, all States in India eventually banned the sale of *gutka*. This study was conducted to investigate *gutka* vendors' knowledge on *gutka* ban, products covered under ban, penalties for non-compliance and action for enforcement by government agencies.

Methods: Twenty vendors were interviewed, 10 each in Mumbai (Maharashtra) and Indore (Madhya Pradesh) during May - June, 2013, one year after ban was imposed. Interviewers used a standardized questionnaire to assess vendors' knowledge of *gutka* ban, their attitude towards it and compliance to it in practice.

Results: All 20 vendors were aware that *gutka* sale was banned. However, despite ban, eight of the 10 vendors in Mumbai perceived sale of *pan masala* as legal. In Indore, all 10 vendors perceived sale of *Indori Tambakoo*, a local *gutka* variant, as legal. No vendor was sure about the quantum of fine applicable on being caught selling the banned product. Two vendors in Mumbai and nine in Indore admitted selling *gutka*. Five vendors in Mumbai and four in Indore supported an existing ban on *gutka*.

Interpretation & conclusions: All vendors were aware of the ban on *gutka* and reason for it. Many vendors supported the ban. However, awareness of other products covered under ban and on fines in case of non-compliance was low. Law enforcement system needs to be intensified to implement ban. Notification of ban needs to be further strengthened and made unambiguous to explicitly include all smokeless tobacco products.

Key words *Gutka* ban - illegal tobacco product - public policy and public opinion - smokeless tobacco - tobacco vendors

Gutka consisting of sun-dried, roasted, finely chopped tobacco, areca nut, slaked lime and catechu mixed with several other ingredients such as flavouring agents and sweeteners, has been popular in India^{1,2}. A similarly packaged mixture without tobacco, often with an identical brand name, is called *pan masala*³. It has been proven that *gutka* is highly addictive and carcinogenic, especially for various forms of oral cancer³⁻⁹.

Beginning in 2012, complying with a Supreme Court judgement and notification from the Food Safety and Standards Authority of India (FSSAI), all States in India eventually banned *gutka*^{10,11}. Madhya Pradesh (MP), on March 31, 2012, became the first State in India to ban 'tobacco containing and nicotine-containing *gutka* like food products'¹². Though *pan masala* does not contain

tobacco, laboratory tests conducted by Food and Drug Administration found magnesium carbonate in it¹³. Taking cognizance of this, the State of Maharashtra in its order dated July 19, 2012 banned '*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 product*'¹⁴. With this ban, Maharashtra became the fifth State to ban *gutka* and first one to ban pan masala in India¹³.

Like any other product, consumption of *gutka* in the market is the result of 'supply' by vendors and 'demand' by users in the marketplace. To investigate, how ban has altered the supply and demand of *gutka*, this knowledge, attitude and practice (KAP) study among vendors in Maharashtra and MP States was envisaged.

Though some studies¹⁵⁻¹⁹ have assessed vendors' perspective, but none was found comprehensive capturing information on all aspects. The objective of this study was thus to investigate vendors' knowledge on *gutka* ban, products covered under ban, penalties for non-compliance and action for enforcement by government agencies, their attitude in favour or against the ban and whether they had fear in case of non-compliance with the ban, and their practice whether they stopped selling banned product or not.

Material & Methods

This qualitative study was conducted to understand KAP of vendors selling tobacco products about *gutka* ban. Key informant (KI) interviews of 20 vendors selling such products were conducted in Maharashtra and Madhya Pradesh (10 per State). Mumbai and Indore, the largest cities of Maharashtra and Madhya Pradesh, were chosen for conducting the KI interviews.

A sample of convenience was chosen. The vendors were selected from the kiosks which were located near the public transportation areas such as bus stops, in slums and near the restaurants. A kiosk within 100 yards of another kiosk been sampled was excluded. Ten vendors were interviewed in each city during May - June, 2013, one year after ban was imposed. For inclusion, the vendor must be an adult and agreeing to participate in the study.

A standardized questionnaire was developed to assess the vendors about (i) awareness of *gutka* ban, of reasons why ban was imposed, fines and punishment

applicable if caught selling banned product, action for enforcement by the government; (ii) perceived impact on his income; (iii) support for ban and for its expansion to include all smokeless tobacco products; and (iv) continuation of the sale of *gutka* despite ban and by other vendors in their cities.

The interviews were conducted by field interviewers employed at the Healis Sekhsaria Institute for Public Health, Navi Mumbai for Maharashtra and at Madhya Pradesh Voluntary Health Association for Madhya Pradesh. Training workshop was held for interviewers with an introduction of the research project and the research tool. Every question in the questionnaire was explained and discussed with the interviewers. Mock interviews were also conducted between interviewers, followed by a pilot survey in the field. The questionnaire was translated in the local languages, Marathi for Maharashtra and Hindi for Madhya Pradesh.

Vendors were approached by interviewers and informed about research as the sole purpose of the interview. Vendors were assured of the anonymous nature of survey and that it was unrelated to any law enforcement agency. Their responses were recorded by interviewers in hard copy. The responses were later compiled and systematically analyzed.

The study was reviewed by and received ethics clearance from the Ethical Review Committee at Healis-Sekhsaria Institute for Public Health, Mumbai.

Results

Twenty vendors were approached, 10 each in Mumbai and Indore. All of them agreed to participate. All 20 vendors were sellers of *gutka* and other tobacco products at the time of ban imposition. All 20 vendors in the two cities were aware that sale of *gutka* was banned by the respective State government, and that ban is because *gutka* causes cancer. One vendor added filth due to spitting by *gutka* chewers as a reason for ban. Two vendors added that even children were getting addicted to cancer-causing *gutka* due to which government had to ban it.

On enquiring about which products have been banned, the 10 vendors in Mumbai replied that sale of the only *gutka* was banned. All other tobacco products were perceived as legal and sold freely by all vendors including themselves. Two of them told that *pan masala* was also banned, but practically, only *gutka*

was under ban. The perception of most sellers was that *pan masala* was not banned.

The 10 vendors interviewed at Indore responded that sale of only '*gutka* pouch' was banned and sale of all other products was legal. Eight of them explicitly added that '*Indori tambakoo ka gutka* (*Indori*, a local variant of *gutka* which is not industrially manufactured but assembled from ingredients by vendors in Indore)' was not illegal and being sold freely in the market.

None of the vendors in Mumbai or Indore were sure about the quantum of the fine applicable on being caught selling banned product. Some vendors tried to make a guess on the quantum of punishment ranging from ₹1000/- to 20,000/- and no jail-term to 2-3 years of jail term.

All 10 vendors in Mumbai had self-experience or had heard of checking by police. Six vendors had some policeman coming to their own kiosk. Rest four vendors had heard of police-checks from some friend or in a newspaper. Two vendors added that police-checks happened only in the initial period. One vendor was himself fined ₹1200/- by police on being caught selling *gutka* after which he started selling only non-*gutka* tobacco products. In Indore, only one vendor accepted that his kiosk had been checked by a policeman. Rest nine vendors never had anyone from police or Municipal Corporation or State government coming to their kiosk for checking, nor they had heard of it happening elsewhere.

Two of the 10 vendors interviewed in Mumbai admitted to selling banned *gutka*. However, they kept the product out-of-sight and sold only to known customers. Other two vendors said that their former *gutka* suppliers were still willing to provide *gutka* if they could 'manage' the risk of law enforcement which they refused. The remaining six vendors told that the former *gutka* supplier had stopped coming or was now supplying only non-*gutka* products. About overall situation, seven of the 10 vendors said that they knew of *gutka* been sold clandestinely in Mumbai by other vendors.

In Indore, nine of the 10 vendors admitted to selling '*gutka*-pouch', the product perceived as banned. Five of them sold it clandestinely with caution. All 10 vendors also admitted to selling '*Indori tambakoo ka gutka*' which was perceived as out-of-ban and hence, legal. Interviewees mostly refused to disclose information on suppliers. All 10 vendors also told that *gutka* was being sold at other kiosks in Indore.

In Mumbai, the two vendors selling *gutka* expressed some fear due to the government making it illegal but were 'managing' through local law enforcement. Remaining eight vendors in Mumbai stopped selling *gutka* due to fear of law enforcement. In Indore, six of the 9 vendors were selling *gutka*-pouch without any fear since no one came to check. Three were selling it with some fear due to it being illegal now. The 10th vendor in Indore who did not sell *gutka* pouch, but only '*indori*', said that he is not afraid of law enforcement because selling '*indori*' is not illegal.

In Mumbai, *gutka* pouch was sold for ₹5/- while in Indore, the price ranged from ₹5/- to 10/-. *Indori gutka*, the local variant available in Indore, was being sold at ₹10/- per unit.

All 10 vendors interviewed in each city had customers coming to their kiosks and asking for *gutka*. However, only two vendors in Mumbai and nine vendors in Indore fulfilled the demand.

Nine vendors in Mumbai revealed no impact of ban on their income. The reason cited was that most *gutka* users now shifted to other tobacco products or were getting *gutka* from vendors selling it illegally. Due to this, sale of other products was increased and some products like '*mawa*' (mixture of arecanut shavings, chewing tobacco and slaked lime) fetched them more profit per unit.

In Indore, eight out of the 10 vendors reported no impact of ban on their income as they were still selling *gutka*. One vendor reported higher income after ban as he had old stock of banned *gutka* which he was now selling at higher price. The tenth vendor, who stopped selling *gutka* after ban, reported significant drop in income.

As evident in Table, five vendors in Mumbai and four in Indore expressed support for *gutka* ban. While all supporters cited adverse health effects of *gutka* as reason for support, one vendor in Indore supported because his income was increased due to ban. Those opposing the ban gave two reasons: One, it led to loss of their income and second, ban made no significant difference on use of tobacco as *gutka* users were consuming other products and buying it from those selling it illegally. Only four vendors in Mumbai and two in Indore supported extending the scope of ban to include all chewing tobacco products. Those opposing ban cited loss of their livelihood as the reason.

Table. Support of vendors for ban on smokeless tobacco products

Question asked from vendor	Mumbai (n=10)			Indore (n=10)		
	Yes	No	Don't know	Yes	No	Don't know
Do you support existing <i>gutka</i> ban?	5	2	3	4	6	0
Should ban be extended to all chewing tobacco products?	4	4	2	2	5	3

Discussion

The findings of this study complemented the findings of studies conducted among *gutka* users^{13,15,16}, thereby providing a perspective on actual status of ban-enforcement at ground level. Furthermore, findings of this study were similar to other studies conducted among vendors^{15,17-19}. All vendors were aware that sale of *gutka* pouch was banned and of its adverse health effects as the reason for ban. However, awareness of other products covered under ban and on fines in case of non-compliance was low among vendors. Other studies among vendors had similar findings^{17,18}.

Misinterpretation of ban-notification in Indore by vendors as allowing *Indori gutka* suggested that laws and regulations should be written to be explicitly inclusive of all products intended to be banned. Sale of *pan masala* in Mumbai further indicated the need of active measures to implement tobacco control regulation.

Most vendors did not have any loss of income due to ban as non-*gutka* smokeless tobacco products and smoking products continued to be sold freely. Most former *gutka* users shifted to these products or were buying *gutka* from vendors selling it illegally at a premium price. Hence, impact on consumer base and on the net profit of vendors seemed to be negligible due to ban in its current form. While 20 per cent interviewed vendors admitted selling *gutka* in Mumbai, 90 per cent admitted selling it in Indore. Some demand for *gutka* was, however, substituted by demand for other tobacco products. Other studies among *gutka* users revealed that *gutka* was still available at a higher price and sold by vendors only to known customers^{13,15-17}. Our study, among vendors, confirmed this.

Our findings indicated the need to mobilize law enforcement system intensively to effectively stop the sale of all products banned under existing notification. Furthermore, existing notification should be further strengthened and made unambiguous to explicitly include all smokeless tobacco products to prevent switching from *gutka* to other ones. A study by the WHO Country Office for India and

Johns Hopkins School of Public Health had similar recommendation¹⁹.

Being based on self-reports, there was a risk of reporting bias by the interviewees. The possibility that there was underreporting of the sale of *gutka* by the vendor and overreporting of their support for ban due to social desirability cannot be completely ruled out. Furthermore, since this study did not employ random sampling, its findings may not be representative of entire States.

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Conflicts of Interest: None.

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