

HC upholds larger statutory warnings on pan masala packages

TDG NETWORK
NEW DELHI



The Delhi High Court upheld the Food Safety and Standards Authority of India (FSSAI) regulation, which enhanced the size of the statutory warning on Pan Masala packages to the extent of 50 per cent of the front-of-pack of the label from the erstwhile warning size of 3 millimetres on Thursday.

The bench led by acting Chief Justice Manmohan and comprising justice Tushar Rao Gedela dismissed a plea moved by the Manufacture and Traders of Pan Masala.

They passed the judgement, noting that the intention of

the Food Authority in introducing the impugned regulation is that the statutory health warning statement serves as a crucial public health measure and it would be suitable that the warning statements are made highly visible so that the same is noticeable to the consumers.

Thus, the increase in the size of warning statements from 3 millimetres to 50 per cent of the front-of-pack label is an effective alternative and

does not disproportionately impact the rights of the petitioners.

“Having these parameters in mind, this Court is of the opinion that the impugned regulation meets the test of proportionality,” said the court.

The meeting was attended by experts and senior medical officials, and it was recommended that a warning label of a larger size, similar to tobacco, may be required on areca nut-containing packets. It was recommended that suitable changes be made in the labelling regulations to ensure that the pack warning is distinct and covers a substantial portion of the pack.