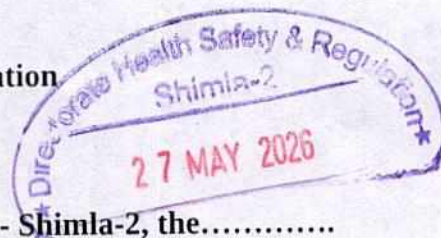


Directorate of Health Safety and Regulation
Himachal Pradesh Shimla-02



Date	27/5/26
MD/NHM	DY. MD
Estt. Sec	QA
FMG	IEC
IDP	NOHP
WC	
ST	
SHPT	
FC	NLEP
CC-2	NUHM

No. HSR-H(COTPA)7/2009-Vol-III-1240-41

Dated:- Shimla-2, the.....

Public Notice

It has come to the notice of the Government that Oral Nicotine Pouches (ONPs) are being sold and delivered through e-commerce platforms, fast-delivery online services, courier networks and other informal channels within the State. These products contain high concentrations of nicotine, lack any statutory approval under the Drugs & Cosmetics Act, 1940 or the Food Safety and Standards Act, 2006, and pose a serious public health concern due to their addictive potential, unregulated composition, and marketing practices that may influence adolescents and young persons.

Nicotine is a substance having pharmacological action on the human body. ONPs are designed for the oral absorption of nicotine and therefore prima facie appears to fall within the definition of a "drug" under Section 3(b) of the Drugs & Cosmetics Act, 1940, as they are intended to affect the structure or function of the human body. However, these products are neither approved nor licensed under the said Act.

Section 26A of the Drugs & Cosmetics Act, 1940 empowers the Central Government to prohibit the manufacture, sale or distribution of drugs that are likely to involve risk to human beings or that lack therapeutic justification. In view of the emerging public health risks associated with ONPs, a formal recommendation shall be submitted to the Ministry of Health & Family Welfare, Government of India, for consideration of appropriate action, including prohibition under Section 26A, as deemed fit by the Central Government.

In exercise of enforcement powers under the Drugs & Cosmetics Act, 1940, the State Drug Controller is directed to take immediate action under Section 18(c) wherever ONPs are found to be manufactured, sold, stocked, distributed or supplied without a valid licence. Drug Inspectors shall conduct inspections, seize such products wherever found, and initiate proceedings strictly in accordance with law. They shall also require e-commerce and fast-delivery platforms to stop delivery of ONPs within the State.

It is reiterated that Regulation 2.3.4 of the Food Safety and Standards (Prohibition and Restriction on Sales) Regulations, 2011 prohibits the sale of any food containing nicotine or tobacco. Accordingly, Designated Officers and Food Safety Officers shall take enforcement action against any ONPs offered, marketed or sold as consumable products, including seizure and further action as per the Food Safety and Standards Act, 2006.

The National Health Mission Himachal Pradesh shall issue a public health advisory highlighting the contents of this order, along with the health risks associated with the use of ONPs and shall sensitise District Tobacco Control Cells for field-level monitoring and reporting of violations.

All Drug Inspectors and Food Safety Officers shall maintain intensified surveillance over retail outlets, online delivery hubs, courier storage points, warehouses and other premises likely to handle such unapproved products and shall report violations promptly to the competent authority.

This Administrative Order shall take immediate effect, and all officers under the Department of Health & Family Welfare shall ensure strict compliance with the directions contained herein.



By Order

Signed by

Jitender Sanjta

Date: 26-05-2026 10:35:34
Directorate Health Safety & Regulation
Himachal Pradesh

Endst. No. As Above 1240-41

Copy for information and necessary action please to:-

Dated:- Shimla-2, the.....

1. The Secretary (Health) to the Govt. of Himachal Pradesh.
2. All the Deputy Commissioners in Himachal Pradesh
3. All the Supdt. of Police in Himachal Pradesh
4. The Director Health Services, Himachal Pradesh
5. The Mission Director, National Health Mission, Himachal Pradesh
6. The State Drug Controller -cum- Controlling Authority, Baddi, Distt. Solan, HP
7. All the CMOs in Himachal Pradesh

Director
Health Safety & Regulation
Himachal Pradesh
E-mail ID(dirdhsr-hp@gov.in)