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Local Responses to the Maharashtra Gutkha and Pan Masala Ban: a Report from Mumbai

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Abstract

The Maharashtra government has banned the production, sale, distribution and storage of gutkha and paan masala in the state due to increasing burden of cancer and reproductive health problems. In view of this, it is important to understand the way producers, sellers and users are adapting to the ban. During the two months following the ban (July 19th through Sept 30, 2012), a research team studying smokeless tobacco use and promotion in a low income community of Mumbai conducted rapid surveillance to assess the impact of the ban in the study community. Assessment involved documenting new points of sale, informal observations of tobacco use, and interviews with thirteen shop owners and eight gutkha users. Overall changes in accessibility, availability, patterns of use of tobacco products, perception of ban, social norms and surveillance activities were assessed. The assessment found that tobacco companies were marketing new products that resembled gutkha, under similar brand logos. Surveillance, financial and social cost of selling gutkha or using it in public have had an immediate effect on reducing local supply, demand and use and increasing stigma associated with use. There was an increased recognition of effects of gutkha on cancer among sellers but not overall. To reduce the overall consumption of tobacco in the community, it is critical to include programmes that create awareness about effects of smokeless tobacco on health and sustain surveillance levels. This would maintain requirements of the ban, and sustain limits on accessibility, availability and use of these products in the community and other similar communities.

Keywords

Maharashtra *gutka*; *pan masala* ban; local responses; Mumbai; smokeless tobacco

Introduction

Gutkha and pan masala are packaged tobacco products that include areca nut, lime and other flavorings and chemicals, produced and marketed by Indian tobacco manufacturers. Years of research show that these products are highly addictive and associated with various forms of cancer^{1–5} and perinatal health problems^{6–10}. On July 19th, 2012, the government of

Maharashtra prohibited the manufacturing, storage, distribution or sale of gutkha and pan masala for one year, renewable thereafter^{11–13}. Other similar bans were established in 14 states during the period March – September, 2012. The ban did not include a prohibition against using gutkha. The argument for the Maharashtra ban was based on the association of these substances with various forms of cancer and precancerous conditions, and the inclusion of nicotine, tobacco and magnesium carbonate, contradicting food safety and standards regulations¹.

Following the ban, the Food Safety and Drug Administration (FDA) initiated “surprise and random raids in the city and suburbs”^{14–15}. Newspapers further reported that 14 vendors were raided and goods seized from three. Penalties for retailers and wholesalers range from Rs 25,000 minimum to Rs 2 lakh plus imprisonment. Various media sources noted that over 200 food inspectors would be deployed “to keep strict vigil on retailers, wholesalers and petty vendors” and that the assistance of police and other agencies would be sought to help implement the ban^{14–15}. The prohibition of any tobacco product has financial, health and other implications for government, manufacturers, vendors at all levels, and users. For this reason documenting local community responses to such bans after they are implemented is valuable to assess their effect and to understand how producers, sellers and users are adapting to the ban.

For the past three years (2010 to present), a team of researchers from the National Institute for Research in Reproductive Health, Mumbai and the Institute for Community Research, U.S.A. has been conducting a mixed methods study investigating the use of smokeless tobacco products among women of reproductive age (18–40 yrs) in a slum area of Mumbai. The first phase of the study involved an assessment of accessibility, availability, promotional activities and social norms related to smokeless tobacco use¹⁶. Accessibility was defined as ability to obtain tobacco products and measured by number of locations selling tobacco and average distance to a location. Availability was defined as type, brand and cost of products. Promotional activities were defined as promotions to sellers and consumers. Social norms were defined as positive or negative statements about smokeless tobacco. We mapped the community, located and classified every tobacco outlet, and evaluated changes in outlets over a three year period from March 2010–April 2012. Interviews with shop owners produced information about types, brands and cost of all tobacco products sold in the community and stocking patterns and profits associated with all forms of smokeless tobacco. Interviews with key informants (knowledgeable community residents) and shop owners produced information on social norms.

The study area included 347 shops, located within easy walking time from any household. Six different types of outlets included pan shops selling only tobacco, general stores selling tobacco with other household products, and small shops selling “drinkables (tea or milk) along with tobacco. Sixty-eight brands of tobacco were identified in the community including 29 different brands of gutkha. Promotional activities at point of sale included colorful hanging strips of packaged tobacco, mainly gutkha, posters, stickers, financial incentives to sellers to buy in bulk, and incentives to consumers to try new products. Of over 200 normative statements, only 8 were negative statements about smokeless tobacco use.

After the ban, the study team returned to the community to evaluate changes in these domains and in reported shifts in patterns of tobacco use.

Methods

We utilized rapid surveillance methods including revisiting all points of sale to identify closed shop, new shops and other changes; in-depth interviews with 13 shop owners about the effects of the ban on their businesses; informal observation of tobacco use in the community; photographic documentation of new packaged tobacco and supari mix products and brief interviews with 9 known gutkha users about their use of tobacco. Data were collected during the two months following the ban from July and August 2012. Field researchers countered challenges in data collection related to respondents' fear of reporting the selling and use of gutkha products, but through long-term trust built in the study community, they were able to obtain important information regarding community responses to new tobacco regulations and their implementation.

Results

Accessibility

None of the 347 shops in the community closed after the ban but three new shops opened selling tea, paan (betel leaf with betel nut, slaked lime and tobacco) and other tobaccos. Several paan shops reported that they had added small packaged products such as soaps and shampoos and potato chips to replace their loss of earnings from gutkha. These products are hung in strips to attract customers, replacing gutkha packets, and cost about the same amount (Rs 1 – 2).

Shop owners generally said that the ban was not affecting them financially even though it was introduced just prior to Ramzan because they could sell as much or more tobacco before sunrise and after sunset. Ramzan is a one month period when Muslims are required to fast from dawn till sunset and refrain from consuming food, drinking liquids and smoking.

They reported shifting sales to other forms of tobacco including paan and newer products that they could sell at higher profit margin. Paan with tobacco, they said, has a higher profit margin because raw goods are cheap and tobacco can be stretched. One said: "There is more profit in paan than in gutkha but a little hard work". Another explained that "If I buy bulk packets with 65 strips to 70, I pay Rs 65. I get five pouches more and get benefit of Rs 5 – 10. However for each pan I make Rs 4 and the content is cheaper".

Availability

Post ban, several new processes have affected availability: a) continued purchasing or stockpiling of gutkha and selling it on the "black market"; b) interruptions in delivery of gutkha supplies; c) replacement of gutkha products with similar tobacco products at higher cost; and d) expanded sale of other types of tobacco.

a) Stockpiling gutkha—Even before the ban was implemented, local promoters, in anticipation, had raised the cost of gutkha¹⁷. They warned shopkeepers of the ban and

shopkeepers in turn used the threat of the ban to justify price increases. Several shop owners mentioned that some shops had stockpiled a three to four month supplies of gutkha, believing that the ban would end shortly thereafter or that surveillance would be reduced.

In mid-August 2012 several shop owners reported that bulk gutkha was still available at higher prices although vendors were increasingly reluctant to purchase supplies after learning of several shops that had been fined. One key informant said: “No one is selling openly. But some say that shops in the interior are selling”. A shop keeper in the interior reported that he was selling gutkha to only well known people and regular customers. Researchers observed both this paan shop owner and a lady customer eating gutkha. The cost of gutkha more than doubled per packet. “A gutkha brand popular among men used to be Rs 2 and is now sold at Rs 5”.

b) Interruption of supplies—Prior to the ban, gutkha supplies were purchased from distributors, via bulk purchases at wholesale markets, or through orders placed to vendors from neighboring slum areas. Post ban wholesalers were not able to obtain the product. Hence, retail shopkeepers could not buy the stock. One respondent reported that a supplier filling an order for a large supply of gutkha was caught by the police and fined Rs 25000. Many shop owners are unwilling to take risks in the face of such steep fines as well as the social stigma attached to being caught.

c) Product replacement—During the last two weeks of August 2012, four new gutkha product replacements were introduced in the study community, consisting of scented supari mix with flavor and scent similar to gutkha, along with packets of loose tobacco, which together cost approximately Rs 2 -3 per pair. Distributors were instructing shop owners to tell customers to mix the packets to obtain a product similar to gutkha. “The products are given together even if a customer prefers only one”. Some companies were maintaining old branding on new products to retain brand loyalty. Several shop owners reported slow sales of the new products. “Earlier the gutkha stock would be sold in two days, but these supari mix products are not sold out easily”. Thus there is a time lag between distribution and purchase/use.

Pan Shop owners have reported shortages of other packaged tobaccos which they believed to be a result of the ban, but they anticipated product replacement. “There is shortage of one specific packet tobacco and it’s not available in the market....if some shops have this tobacco, they are selling at higher price; Rs 6 per packet is being sold for Rs 12 now.

d) Business losses, product switching, and price fixing—Some shop owners are reporting that their profits have dropped with the sale of the new replacement products. One reported that his profit dropped from Rs 40 to Rs 20 a day when he shifted from selling gutkha to supari mix (betel nut with flavorings) products. A general store owner reported a major loss after the ban because people who came to purchase gutkha also bought other products which were no longer being sold. However, a popular pan shop owner said that even during the post ban period, his business had increased because gutkha users had shifted to paan with tobacco or packed tobacco or mawa (chewing tobacco with lime). This owner

said that in one day he sold approximately 100 more paan than in the past and was now selling more mawa.

A few paan shop owners in the community described a new agreement to fix the price of paan, in order to avoid selling below cost. They developed a pamphlet listing prices so that all the shop owners could know the prices. Others who are not aware of such an agreement expressed the need for uniform prices so as to reduce disparity in profit. Some shop owners received this news positively. "There is no union of paan shop owners, (so) it is better if there is a union ...at least the shop owners across the community will be selling at the same price".

Promotion and Marketing

Gutkha strips displayed in the shop prior to the ban were an important element in attracting customers to shops and, when interspersed with sweet packaged products for children, may have contributed to children's use of gutkha. Post-ban, gutkha strips are no longer seen; and at least one shop owner reported removing stickers advertising gutkha products. Local agents travel by bicycle to the community, promote and supply the new products and demonstrate their use. As a marketing strategy they dispel fears about new product contents and convince shop owners that the new products are permitted under the ban. One shop owner described the process: "For (a brand of) supari mix the supervisor had come and suggested me to keep the product in my shop because these products are not banned; only gutkha products are banned. (The agent said) if anybody comes to enquire about this product and objects, you can take my number and give me a call. The supervisor also told me that there is no magnesium carbonate in these products so I can openly sell these products."

The shop keepers were anticipating that companies would launch supari mix products soon to retain their market share, giving tobacco free with these supari mixes. One reported that a supari mix named after a brand of gutkha favored by men has been launched recently. When the pheriwala (on cycle) came to deliver the product, the shop owner refused to keep it because they are not selling well. "The pheriwala told me that once someone eats this product, then with assurance they will come back in half an hour. But the two new supari mix brands which are named after gutkha products are not preferred by people".

Changes in Patterns of Use

Tobacco users have brand preferences but they do switch type depending on cost, availability and level of addiction. Main types of tobacco preferred in the study community prior to the ban included paan with tobacco, tobacco (packaged or loose) (mixed by the user with lime, supari and other ingredients), tobacco powder loose or in packets, and gutkha. Both paan shop owners and women who have been using a SLT product have reported that those addicted to gutkha were continuing to use it by locating it at any price "in black market".

"She is a user and purchases from the pan shop owner she knows, and she pays Rs 5 per packet. Now, per day she spends more than Rs 100. She will continue as long

as she gets. She eats any brand that she gets because of the ban. If she is not eating, she gets vomiting symptoms.”

Three pan shop owners said that smoking was increasing among men, who were buying more bidi. One shop owner expressed the opinion that once people shift products they will not return. “if gutkha is re-launched then people might not go back to using it.... because nobody can guarantee the taste of the new product and by that time the users’ taste will also be changed.”.

Social Norms

Prior to the ban most people interviewed in the study community made few negative statements about any smokeless tobacco products. After the ban, many shopkeepers and key informants applauded the government’s ban and its importance in preventing cancer. Several noted that “cancer cases are increasing because of gutkha” and some believed that hospitals will not treat gutkha users with cancer. A general store owner reported that he liked the ban and thought it should be extended to other forms of tobacco. He himself sold gul and other tobacco products but he was not selling gutkha and “not selling in black either”. One seller noted that the shortage of one type of tobacco was leading people to think that the ban was spreading – that “even tobacco is also banned”.

Surveillance is promoting fear of fine and imprisonment as well as stigma attached to both. In addition, stigma is now associated with using gutkha in public. As one shop owner said “If we sell gutkha and are caught, the fine is more expensive than the profit made, also the stigma of being caught by the police; his family will look down upon “. Also people are hiding their use of gutkha – “they hide gutkha wrappers and dump it in bulk in some place where garbage is always available so that people cannot distinguish between a new /old wrapper”. In spite of these comments, team members have observed numerous empty gutkha packets on the road in the community. Stigma is associated more with the public embarrassment of being caught selling gutkha or eating in public, but less so when done in private. This normative change may take some time.

Surveillance activities and Perceptions of the Ban

Respondents cannot distinguish among external police officials in plain clothes, internal informers, or residents hired for surveillance and there are rumors that higher ranked police can fine at higher rates. They have heard stories about raids at any time, even at 4 AM during Ramzan. One of the customer at a paan shop owner reported that a police official had come in civil dress posing as a customer and asked for “masala or pudi”. So the paan shop owner gave him a packet of gutkha and was fined Rs 1000. Consequently distrust of newcomers and even wn neighbors has increased. Some shop owners, however, are less concerned about surveillance and have said that “now there is a black market because people are not scared”.

Discussion and Conclusions

The ban has set in motion a number of processes that have shifted the patterns of stocking, selling and using tobacco products. First, the ban has not changed the density and proximity of tobacco shops nor affected in any significant way the creation of new shops. Shop owners cannot obtain new supplies of gutkha, and for the most part, do not sell it; thus the ban has reduced supply, demand and actual consumption¹⁸.

Though gutkha is much less available, it can be purchased at higher cost¹⁷ and is still being used, as evidenced by empty gutkha packets on streets and lanes. New products resembling gutkha in packaging and taste/smell became available almost immediately following the ban and are being promoted in the community though there is a time lag between the decisions to purchase these products, and uptake by customers. In addition, when supari mix includes free tobacco packets, more customers may be drawn to both. At the same time, other new unprocessed inexpensive tobacco products have become available including new forms of mawa. Thus the overall stock of tobacco in the community may not have changed despite a decline in the availability of gutkha.

One possible normative change due to the ban is the belief that other forms of tobacco are now illegal. At the same time, the producers have anticipated this fear and have trained the agents to address any concerns shop owners have about the content or desirability of the new products. Ambiguity about who is conducting surveillance, and where and when it will be targeted, coupled with a small number of examples of fines, both large and small, and the stigma associated with fines and imprisonment is reducing public purchase and use of gutkha but not other forms of tobacco. Community recognition of the association between cancer and gutkha use, helped by the media, is now more widespread but is not universally shared. One indirect negative consequence of surveillance is an increase in distrust among residents who are concerned that their neighbors may be paid employees of the police or FDA.

In general, there is a switch from gutkha to other forms of tobacco including paan with tobacco, mawa and loose tobacco with lime and supari. Switching to paan with tobacco may reduce nicotine intake while switching to smoking and using bidi will increase it.¹⁹ The ban did not produce specific reports of quitting all tobacco use.

Overall, surveillance and the financial and social cost of selling gutkha or using it in public penalties have had an immediate effect on reducing but not eliminating local gutkha supply, demand and use. However, at the same time the ban may be contributing to increased profits and promotional activities associated with the sale of other tobacco products, and increased use as well as initiation of other types of smokeless and smoked tobacco products. Whether the ban has a long term effect on cancer prevention and reduction of risk remains to be seen.

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