

NAFDAC Marketing of Foods and Non-Alcoholic Beverages to Children Regulations 2025

Closed for Comments

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Arrangement of Regulations

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**NATIONAL AGENCY FOR FOOD AND DRUG ADMINISTRATION AND CONTROL
ACT (CAP N1 LFN) 2004.**

NAFDAC Marketing of Foods and Non-Alcoholic Beverages to Children Regulations 2025

[] Commencement

In exercise of the powers conferred on the Governing Council of the National Agency for Food and Drug Administration and Control ('the Governing Council') by Section 30 of the National Agency for Food and Drug Administration and Control Act, Cap. N1, LFN, 2004 and Section 12 of the Food, Drugs and Related Products (Registration, Etc.) Act. Cap. F33. LFN, 2004 and of all the powers enabling it in that behalf, the Governing Council with the approval of the Minister makes the following Regulations: -

1. Application:

These Regulations shall apply to the marketing of foods and non-alcoholic beverages high in saturated fats, trans-fatty acids, sugars or salt targeted at children as provided in Schedule 1 to these Regulations.

2. Principles for Marketing of food and non-alcoholic beverages

- (a) Marketing of food and non-alcoholic beverage products primarily targeted at children shall be responsible in the manner in which the food and beverage products are portrayed.
- (b) Marketing of food and non-alcoholic beverage shall not.
 - (i) Encourage or condone excessive consumption.
 - (ii) Encourage an unhealthy lifestyle or unhealthy or unbalanced eating or drinking habits.
 - (iii) Show people who choose a healthy active lifestyle in a negative manner.
 - (iv) Mislead as to the nutritive value of any food or non-alcoholic beverages.
 - (v) Mislead children as to the potential benefits from consumption of the product, either physically, socially, or psychologically.
 - (vi) Disparage good dietary practice.
 - (vii) Seem to urge children or parents or caregiver to buy excessive quantities of food for collection-based promotions.
 - (viii) Aim to undermine the role of parents or caregivers in guiding diet and lifestyle choices.

3. Nutrient profile of Food High in Saturated fatty acid, Trans Fatty acid, Sugar, and Salt

- (a) Categories of food and non-alcoholic beverage for the purpose of marketing restriction shall be in accordance with the nutrient profile model provided in Schedule 1 to these regulations.
 - (i) The nutrients thresholds for total fat, saturated fat, total sugars, added sugars, sodium and energy shall be as provided in Schedule 1 to these regulations.
 - (ii) A food product based on the nutrient declaration panel shall not exceed (on a per 100 g/100ml basis) any of the relevant thresholds provided in the nutrient profile model for that food product category if marketing is to be permitted.
 - (iii) The quantities of nutrients in the food products should, where applicable, be calculated as sold or as reconstituted. Where a product needs to be reconstituted before it is eaten, the nutrient amounts should be calculated based on 100 g of the product as reconstituted according to the manufacturer's instructions.

4. Nutrition and Health Claims

- (a) Nutrition and health claims made in marketing communications for food and non-alcoholic beverages targeted at children shall:
 - (i) be accurate and not misleading.
 - (ii) have a sound scientific basis and be conveyed in a manner that is consistent with the nature and scope of the evidence.
 - (iii) be objective, clear and understandable.
- (b) Comparative nutrition claims shall compare the composition of the food with a range of foods of the same category and the difference in the quantity of a nutrient and the energy value shall be stated.
- (c) The following claims shall not be accepted in marketing communications for food products targeted at children:
 - (i) Claims that state or imply health could be affected by not consuming a food.
 - (ii) Claims that state or imply that a food prevents, treats or cures human disease.
 - (iii) Health claims that refer to the recommendation of an individual health professional.
 - (iv) References to changes in bodily functions that could give rise to, or exploit, fear in the audience.
 - (v) Claims of a nutrition or health benefit that give rise to doubt about the safety or nutritional adequacy of another product.
 - (vi) Health claims referring to a rate or amount of weight loss.
 - (vii) Claim that food consumption guarantees health benefits such as brain development and aid in sport activities.

5. Broadcast marketing

Broadcast marketing for food high in fat, salt and sugar shall be subject to the following restrictions:

- (a) The marketing of foods high in Fat, Salt and Sugar directed at children is prohibited on television, radio, online and other media.
- (b) Promotional offers shall not be used in food high in Fat, Salt and Sugar targeted at children.
- (c) Marketing communications for collection-based promotions or premiums shall not persuade children or their parents to buy excessive quantities of the product.
- (d) Licensed characters and celebrities popular with children shall not be used in food high in Fat, Salt and Sugar targeted at children.

6. Non-broadcast marketing

- (1) Non-Broadcast Marketing of foods high in Fat, Salt and Sugar shall not be targeted at children through the selection of non-broadcast media or the context in which they appear.
- (2) No medium shall be used to advertise food High in Fat, Salt and Sugar targeted at children.
- (3) Marketing communications, in non-broadcast media for food High in Fat, Salt and Sugar targeted at children shall not include:
 - (a) promotional offers or a competition
 - (b) licensed characters or celebrities popular with children
- (4) No sponsorship involving food High in Fat, Salt and Sugar shall be permitted for any other setting dedicated for use by children.
- (5) No sponsorship involving food High in Fat, Salt and Sugar shall be permitted in events targeted at children.

- (6) Marketing Communications for food high in fat, salt and sugar in social media shall not be targeted at children.
- (7) There should be no point-of-sale advertising, giving of samples, or any other promotion device to induce sales directly to children, parents or caregivers at any level, such as special displays, discount coupons, premiums, special sales and loss-leaders for products within the scope of Regulations.
- (8) Other required as may be determined by the Agency

7. Locations

Locations and settings primarily used by children shall be free from all forms of marketing for foods high in fat, salt and sugar which include registered crèches, pre-schools, nurseries, family and child clinics, paediatric services, schools, dedicated school transport, playgrounds, and youth centres as may be determined by the Agency.

8. Prohibition

- (1) A person shall not market foods and non-alcoholic beverages high in saturated fats, trans-fatty acids, sugar and salt to children
- (2) Fats, oil and foods containing fats and oil of which the content of the trans-fat exceeds 2g per100g of fat or oil are prohibited in foods and non-alcoholic beverages targeted at children
- (3) A person shall not market food and non-alcoholic beverages containing non-nutritive sweeteners to children.

9. Offences and Penalties

- (1) Any person who contravenes any of the provisions of these Regulations commits an offence and shall be liable on conviction, in case of -
 - (a) an individual, to imprisonment for a term not exceeding one year or to a fine not exceeding N800,000.00 or to both; and
 - (b) a body corporate, to a fine not exceeding N5,000, 000.00
- (2) Where an offence under these Regulations is committed by a body corporate, firm or other association of individuals every –
 - (i) director, manager, secretary or other similar officer of the body corporate;
 - (ii) partner or officer of the firm;
 - (iii) trustee of the body concerned;
 - (iv) person concerned in the management of the affairs of the association; or
 - (v) person who purports to act in a capacity referred to in paragraphs (a) to (d) of this sub-regulation,

is severally liable to be proceeded against and punished for that offence in the same manner as if he had himself committed the offence, unless he proves that the act or omission constituting the offence took place without his knowledge, consent or connivance.

10. Forfeiture after Conviction

- (1) A person convicted of an offence under these Regulations shall forfeit to the Federal Government of Nigeria –
 - (a) asset or property constituting proceeds derived from or obtained, directly or indirectly, as a result of the offence;
 - (b) any of the person's property or instrument used in any manner to commit or to facilitate the commission of the offence
 - (c) In this regulation, "proceeds" means any property derived or obtained, directly or indirectly,

through the commission of the offence.

11. Enforcement of these Regulations

The Agency shall be responsible for the enforcement of these Regulations.

12. Interpretation

For the purpose of these regulations unless the context otherwise requires, the following terms shall mean

Agency means the National Agency for Food and Drug Administration and Control;

Added sugars means sugars added to foods and beverages by the manufacturer

Broadcast media means one of the primary channels used in the marketing of unhealthy foods and non-alcoholic beverages to children, with a strong recommendation to reduce both the exposure and the power of these broadcasts aimed at children.

Broadcast of foods and non-alcoholic beverages to children means transmission or dissemination of food and non-alcoholic beverage-related marketing content through mass media channels **such as** television, radio, and digital streaming platforms, **where** children are part of the intended or actual audience.

Children means to persons aged above 3 to under 18 years.

Collection-based promotion means requiring the consumers to collect items, proofs of purchase, labels, tokens, or stamps in order to receive a reward, discount, premium, or gift, typically aimed at stimulating repeated purchases of a food product or related item.

Energy means total chemical energy available in food (in kilocalories) and its macronutrient constituents (carbohydrates, fats, and proteins).

Free sugars means monosaccharides and disaccharides added to foods and beverages by the manufacturer, cook or consumer, and sugars naturally present in food e.g. honey, syrups, fruit juices and fruit juice concentrates.

Foods and Non-Alcoholic Beverages means foods and non-alcoholic beverages targeted to children considered to be harmful to health due to the high content of saturated fat, trans fatty acids, free sugars or salt (often referred to as ‘unhealthy’ foods and beverages).

Food targeted at children means any food product that is formulated, packaged, labeled, or marketed in a way that is intended to appeal to children using child-attractive elements, or through marketing practices that aim to influence children’s food choices, preferences, or consumption patterns.

Food high in Fat, Salt and Sugar Products means a subcategory of food that is deemed high in fat, sugar and/or salt by the application of the Nutrient Profile model.

Health claim means any representation that states, suggests, or implies that a relationship exists between a food or a constituent of that food and health.

Marketing means any form of commercial communication of messages that are designed to, or has the effect of increasing the recognition, appeal and/or consumption of particular products and services. It comprises anything that acts to advertise or otherwise promote a product or service.

Marketing to children means the use of any media, messaging, or engagement techniques intended to capture children's attention directly and indirectly and influence their consumption choices, often leveraging their developmental vulnerabilities and emotional responsiveness.

Marketing communications means any form of commercial communication, message, or action that is designed to, or has the effect of, promoting a product or influencing consumer behaviour, attitudes, or beliefs. This includes advertising, promotion, sponsorship, product placement, branding, and point-of-sale marketing, across all media platforms, including digital, broadcast, non-broadcast, and online stores.

Nutrient profile model means the evidence-based classification or ranking of foods according to their nutritional composition for reasons related to preventing disease and promoting health.

Non-Broadcast Media means all forms of digital media, out of home media, print media and cinema.

Nutrition claim means any representation which states, suggests or implies that a food has particular nutritional properties including but not limited to the energy value and to the content of protein, fat and carbohydrates, as well as the content of vitamins and minerals.

Promotion of food and non-alcoholic beverages targeted to children means to any commercial message, activity, communication, or incentive designed to influence the food and drink preferences, purchase behavior, or consumption habits of children, using techniques or channels that appeal to or reach children directly or indirectly.

Saturated fat means fat molecules with no double bonds in between the carbon atoms. Saturated fat refers to the major saturated fatty acids in the diet, namely C14, C16 and C18, except in the case of milk and coconut oil where saturated fatty acids range from C4 to C18

Sodium means a soft, silver-white element found in salt; 2.5 g of salt contains about 1 g of sodium.

Sponsorship means any form of monetary or in-kind contribution to any event, activity or individual with the aim, effect or likely effect of directly or indirectly promoting a product. It can include sponsorship of television and radio programmes, events, educational materials and equipment; programmes, including public health campaigns and school breakfast or lunch programmes, venues; or sports teams.

Total sugar means all sugars from whatever source in a food and is defined as 'all monosaccharides and disaccharides other than polyols.

Total fat means content of a food product composed of fatty acids from the three main groups (saturated fatty acids, mono-unsaturated fatty acids, and poly-unsaturated fatty acids), which are differentiated based on their chemical formula and structure.

Trans-fat means all geometrical isomers of monounsaturated and polyunsaturated fatty acids having non-conjugated double bonds, interrupted by at least one methylene group, carbon-carbon double bond in the trans configuration. That is, fatty acids with at least one double carbon-carbon bond in the trans configuration.

13. Citation

These regulations shall be cited as Marketing of Foods and Non-alcoholic Beverages to Children

MADE at Abuja this.....day of 2025

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Chairman Governing Council

National Agency for Food and Drug Administration and Control (NAFDAC)

Schedule 1

				Marketing is prohibited if thresholds exceed values per 100g						
S/N	Food Category	Examples of food items	Codex Food Category code	Total fat (g)	Saturated fat (g)	Total sugars (g)	Added sugars (g) ¹¹	Sodium (g)	Energy (kcal) ¹²	
1.	Chocolate and sugar confectionery, energy bars, sweet topping, and desserts	Cocoa/Chocolate bars (including milk, dark and white chocolate) chocolate spread, imitations and chocolate substitutes, cereal, granola and muesli bars, table sugars, flour-based confectionaries, hard soft and chewy candy, chewing gum, caramels, soft jellied candies, marshmallow, sweet sauces, sweet desserts, creamy desserts, hard boiled sweets (such as lollipop)	5.1.1, 5.1.2 (except for products used to prepare chocolate milk or hot chocolate), 5.1.3, 5.1.4, 5.1.5, 5.2, 5.3, 5.4	8.0	No threshold provided	6.0	No threshold provided	No threshold provided	230	
2.	Cakes, sweet biscuits and pastries, other sweet bakery products, dry mixes for making such	Pastries: Croissants, Cakes, cookies, pies, doughnuts, sweet rolls, muffins, macaroons, breakfast biscuits (such as chocolate-covered biscuits), sweet pancake (ready-to-eat form), Buns with sweet fillings, Mandazi, chocolate pudding, plum pudding, bread pudding	7.2	8.0	No threshold provided	6.0	No threshold provided	0.25	230	
3.	Bread, bread products and crisp bread	Bread and rolls, crackers, mixes for making bread and ordinary bakery wares, mixes for making pizza, savory pancake, wraps/tortillas, bread with raisins, buns, bread with cereal, rusks	7.1	8.0	No threshold provided	6.0	No threshold provided	0.25	No threshold provided	
4.	Breakfast cereals	Whole, broken or flaked grains of rice and other cereals, rice-based, wheat-based or maize-based breakfast cereals of all flavors, oatmeal, mueslis,	6.1, 6.3, 6.7	12.0	No threshold provided	9.0	No threshold provided	0.35	No threshold provided	

		rice cakes, porridge (dried, as							
5.									Ready-to-eat savories (Savory snack foods)
	(a) ready to eat savory snacks Potato, cereal or starch-based (from roots, tuber, or legumes)	Popcorn, other snacks made from rice, maize, wheat, potato, cassava, plantain (i.e. chips, crisps)	15.1	8.0	No threshold provided	No threshold provided	0.0	0.25	230
	Food Category	Examples of food items	Codex Food Category code	Total fat (g)	Saturated fat (g)	Total sugars (g)	Added sugars (g)¹¹	Sodium (g)	Energy (kcal)¹²
	(b) Processed nuts and edible seeds	Nuts, and mixed nuts (including with fruit content), edible seeds	15.2	No threshold provided	No threshold provided	No threshold provided	0.0	0.05	No threshold provided
	(c) Fish-based	Fish-based snacks	15.3	No threshold provided	No threshold provided	6.0	No threshold provided	0.25	230
6.	Beverages								
	(a) Juices	100% fruit and vegetable juices prepared from fresh or reconstituted from concentrate, smoothies	14.1.2, 14.1.3	No threshold provided	No threshold provided	6.0	0	0.30	No threshold provided
	(b) Milk and dairy based drinks	Milks and sweetened milks reconstituted powdered milk, flavored dairy products a, sour milk, fermented dairy-based products (chocolate milk, strawberry milk, cocoa, drinking yoghurt), condensed milk, milk shakes, sweetened creamer. <i>Milk means milk from animals such as cows, goats, camels etc.</i>	1.1	4.0 ¹⁸	No threshold provided	No threshold provided	0.0	No threshold provided	No threshold provided
	(c) Water-based flavored and unflavored drink	Sport, energy drinks ¹⁹ , electrolyte drinks, carbonated and non-carbonated water-based flavored drinks (i.e. soft drinks), powdered juices, concentrates (liquid or solid) calculated as or in ready-to-drink form, flavored waters (sparkling), reconstituted chocolate or malted	14.1.4	No threshold provided	No threshold provided	0.0	No threshold provided	0.1	No threshold provided

		powdered drinks, syrups, sugar cane juices							
	(d) Coffee, coffee substitutes, tea, herbal infusions	Coffee, including instant and premixed coffee, coffee substitute, tea including instant and premixed tea, herbal infusion to be prepared or in ready-to-drink form	14.1.5	No threshold provided	No threshold provided	0.0	No threshold provided	No threshold provided	No threshold provided
7.	Frozen dairy-based desserts and edible ices	Ice cream, ice milk, frozen yoghurt, ice lollies and sorbets	1.7, 3	6.0	No threshold provided	12.0	No threshold	0.10	230
8.	Other dairy based desserts	Dairy based products that have been curdled by fermentation, acid, enzyme, heat, etc. and flavoured with sugar and other ingredients. Examples are flavoured cream-type yoghurt, jellied milk, butterscotch, chocolate mousse, puddings (including rice pudding, milk pudding), flan, custard	1.7	4.0	No threshold provided	6.0	No threshold provided	0.10	230
9.	Cheese and analogues	Unripe or ripened cheese, processed cheese, cheese analogues, that can be classified based on physical characteristics as hard (e.g. Parmesan), semi-hard (e.g. cheddar, edam), semi-soft and soft (e.g. mozzarella, ricotta) as well as serving style as sliced cheese, cream cheeses, grated or powdered cheeses, spreadable cheeses, cottage cheese, processed cheese	1.6	20.0	No threshold provided	No threshold provided	0.0	0.60	No threshold provided
10.	Composite foods (Prepared foods, ready-made and convenience foods and composite dishes)	Mixtures of multiple components (e.g. meat, sauce, grain, cheese, vegetables). These include foods that require minimal preparation (heating, thawing, rehydrating) or the ready-to-serve meal	16, 12.5.1, 12.5.2	12.0	3.5	9.0	No threshold provided	0.35	No threshold provided

		from restaurants. Examples: frozen and chilled ready meals, pizzas, lasagna, ready-made sandwiches, soups, burgers in buns, ready meals, soups, tinned spaghetti, baked bean, filled pastas, French fries							
11.	Butter and other fats and oils, and fat emulsions	Vegetable oils and fats, lard, ghee, fish oils and other animal fats, butter, margarine and similar products. Examples: cooking oils from plant and animal sources, fat blends, nuts spread (e.g. peanut butter)	2.1, 2.2	No threshold provided	35.0	No threshold provided	0.0	0.10	No threshold provided
12.	Pasta and noodles and like products, rice and grains	Fresh, precooked, or dried noodles and pastas and like products, rice paper, rice noodles, vermicelli made from wheat, tapioca, sago, brick paper etc. (sold as ready-to-eat)	6.4	3.0	No threshold provided	No threshold provided	0.0	0.25	No threshold provided
13.	Fresh and frozen meat, poultry, game, fish and seafood	Fresh and frozen meat, poultry, game, molluscs, crustaceans, echinoderms in the forms of whole pieces, cuts/fillet, comminuted/minced/creamed. Examples: beef, pork, chicken, lamb, goat, tuna, mackerel, catfish, shrimp, ox tails, Turkey tails, mutton flap, organ meats, eggs, oily fish (e.g. herring) etc.	8.1, 8.2.3, 9.1, 9.2.1, 9.2.3	15.0	No threshold provided	No threshold provided	No threshold provided	No threshold provided	No threshold provided
14.	Processed meat, poultry, game, fish and fish products								
	(a) Processed meat, poultry and game products	Non-heat-and heat-treated whole pieces or cuts or commuted meat, poultry and game that have been cured and dried or fermented. Examples: smoked ham, salted dried meat, salami, sausage, bacon, corned beef, smoked duck, canned meats, chicken nuggets, beef or chicken	8.2.1, 8.2.2, 8.3.1, 8.3.2	8.0	3.0	No threshold provided	No threshold provided	0.40	No threshold provided

		patty, pork rind, liver pate							
	(b) Processed fish and seafood products	Frozen battered, cooked and/or fried, smoked, dried, fermented, and/or salted, semi-preserved by pickling or brining, fully preserved by canning or fermentation of fish and sea foods. Examples: salted fish and seafood, brined fish, salted fish in oil, fermented fish and seafood, anchovies, shrimp paste, canned tuna, sardine, or mackerel, smoked fishes, dried shrimp, fish balls, fish finger, fish burger	9.2.2, 9.2.4, 9.3, 9.4	8.0	3.0	No threshold provided	No threshold provided	0.40	No threshold provided
15.	Fresh and frozen fruits and vegetables, legumes, roots and tubers	Fruits, vegetables, mushrooms, roots and tubers, pulses and legumes, seaweed, fresh coconut.	4.1.1, 4.1.2.1, 4.2.1, 4.2.2.1	Permitted					
16.	Processed fruits, vegetables, and legumes	Dried fruits ²² , canned or bottled, jam, jellies, marmalades, packed in vinegar, oil or brine; pickled, candied, pulp, purees, topping, fermented, fillings, cooked forms of fruits and vegetables. Examples: fruits and vegetables in vinegar, oil or brine, dried coconut, coconut cream, marmalade, jams, canned fruits, vegetables and legumes, dried mushrooms, preserved or pickled fruits and vegetables, fermented vegetables	4.1.2, 4.2.2	5.0	No threshold provided	No threshold provided	0.0	0.40	No threshold provided
17.	Solid-form soybean products	Soybean-based products, soybean curd (tofu), semi-dehydrated tofu, dehydrated tofu (kori tofu), fermented soybeans (natto), other	6.8.2, 6.8.3, 6.8.4, 6.8.5, 6.8.6, 6.8.7,	8.0	No threshold provided	No threshold provided	0.0	0.10	No threshold provided

		soybean protein products (soya nuggets and textured vegetable protein)	6.8.8, 12.9.1						
18.	Sauces, dips, other seasonings and dressings	Emulsified, non-emulsified mixes as concentrated, clear sauces and like products, soybean-based seasoning and condiments. Examples: mayonnaise, salad dressing, onion dips, tomato ketchup, gravy, cheese sauce, cream sauce, bouillon cubes, seasoning powder, fermented and unfermented soy sauces, fish sauce, sweet chili sauce, spaghetti sauce, BBQ sauces,	12.6, 12.9.2	8.0	No threshold provided	No threshold provided	0.0	0.30	No threshold provided