

POLICY BRIEF

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NAFDAC Sachet Alcohol Ban and its Enforcement Dilemma: Legislative Considerations

*Leo Igbanoi, PhD, Ejalonibu Ganiyu, PhD,
Charity Ezenwajiobi, Paul Uduije, Naphtali Amana
National Institute for Legislative and Democratic Studies, NILDS*

Executive Summary

In January 2026, the National Agency for Food and Drug Administration and Control (NAFDAC) moved to enforce the ban on alcoholic beverages packaged in sachets and containers below 200 ml, citing legislative directives and public health concerns. It should be that NAFDAC's enforcement powers are derived from Sections 5 and 30 of the NAFDAC Act and other applicable regulations. Thus, all decisions relating to enforcement fall squarely within the agency's jurisdiction. However, this ban was halted by a joint intervention by the Office of the Secretary to the Government of the Federation OSGF and the Office of the National Security Adviser ONSA, citing grave concerns over economic stability and potential security threats¹. This brief contends that while the concerns of the federal government are noted, it is necessary to underscore the nexus between economic stability and outright breaches of policy agreements by business on matters that border on public health concerns. The following recommendations are proffered:

- Lawmakers may wish to refer the offices of the SGF and NSA to the November 6th Resolution of the Senate on enforcing the NAFDAC ban. Additionally, the House of Representatives may issue a similar resolution to align with that of the Senate, in order to allow for joint agreement on enforcement of the ban.
- The National Assembly may wish to amend the NAFDAC establishment Act to explicitly grant powers to the agency in relation to monitoring and enforcing the packaging, marketing, and sale of alcohol products below 200ml.
- Lawmakers may wish to engage the Executive to provide a definitive timeline for the release of the National Alcohol Policy to the public. This will ensure that NAFDAC's regulatory powers are not subject to protracted policymaking processes.

1. Introduction

The National Agency for Food and Drug Administration and Control (NAFDAC) commenced full enforcement of the ban on alcoholic beverages packaged in sachets and containers below 200 ml in January 2026. This enforcement was implemented after a

previous moratorium was granted to manufacturers to phase out this category of products in 2018, an extension that was renewed in 2024. Interventions by the Offices of the Secretary to the Government of the Federation (OSGF) and National

¹FG orders NAFDAC to halt sachet alcohol ban enforcement citing economic, security risks
<https://www.vanguardngr.com/2026/02/fg-orders-nafdac-to-halt-sachet-alcohol-ban-enforcement-citing-economic-security-risks/>



Security Adviser (NSA)² have sought to temporarily halt the ban enforcement, citing impact on unemployment, the economy, and national security. This brief argues that although the concerns of the federal government are noted, it is necessary to underscore the nexus between economic stability and public health concerns for effective policymaking, by not sacrificing the latter for the former.

2. Outlining the Issues

Excessive alcohol consumption remains a major public health challenge in Nigeria, with cheap, high alcohol content sachet products widely consumed among youths, adolescents, and low income populations. Indeed, NAFDAC has underscored that one in 10 Nigerian children under the age of 13 consumes alcohol daily, which reveals a chilling indictment of Nigeria's regulatory landscape³. Recent studies have not only argued that there are high levels of alcohol misuse in the country, with results showing higher prevalence in rural areas compared to urban settings⁴, but also that alcohol is the 6th leading cause of disability and death in Nigeria. As such, public health stakeholders have assessed alcohol misuse in the country as a national public health emergency issue,

calling on the government to protect young people and arrest alcohol-related deaths in the country, which border on liver disease, alcohol-induced cancers, risky sexual behaviours among young people, among others.

It is in this context that NAFDAC's ban on the sale and distribution of alcohol should be situated. It is important to underscore that the agency has clarified that the ban only covers a particular category of drinks: spirit drinks sold in sachets and containers below 200 ml. This neither translates to a general ban on alcohol sale and consumption above 200ml, nor the shutting down of alcohol-producing companies.⁵ In the same vein, NAFDAC has argued that its action is fully supported by the Federal Ministry of Health and Social Welfare, its supervising body, in line with Sections 5 and 30 of its establishing Act, as well as a resolution by the National Assembly.⁶

It is granted that the OSGF and NSA are attempting to respond to concerns by industry players, including the Manufacturers Association of Nigeria (MAN) and Food, Beverage and Tobacco Senior Staff Association (FOBTOS)⁷ who warn that a blanket ban could result in job losses and

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<https://www.vanguardngr.com/2026/02/fg-orders-nafdac-to-halt-sachet-alcohol-ban-enforcement-citing-economic-security-risks/>

³Minors' sachet alcohol use: Prioritizing our future over profits

<https://blueprint.ng/minors-sachet-alcohol-use-prioritising-our-future-over-profits/>

⁴ Adedoye, D., Olawole-Isaac, A., Auta, A., Dewan, M. T., Omoyele, C., Ezeigwe, N., ... Adewole, I. F. (2019). Epidemiology of harmful use of alcohol in Nigeria: a systematic review and meta-

analysis. *The American Journal of Drug and Alcohol Abuse*, 45(5), 438–450.

<https://doi.org/10.1080/00952990.2019.1628244>

⁵ <https://www.icirnigeria.org/nafdac-sachet-alcohol-producers-set-for-war-over-ban/>

⁶ <https://www.arise.tv/senate-orders-total-ban-on-sachet-alcohol-by-december-2025/>

⁷ Food And Beverage Workers Protest At NAFDAC Over Job Losses Amid Sachet Alcohol Ban

<https://www.arise.tv/food-and-beverage-workers-protest-at-nafdac-over-job-losses-amid-sachet-alcohol-ban/>



economic disruption, especially for small scale producers, distributors, retailers, and informal sector workers whose livelihoods depend on the sachet alcohol value chain. Yet, this economic stability concern needs to be juxtaposed against the public health concerns raised by NAFDAC and other health stakeholders, particularly the impact of unrestricted alcohol access for Nigeria's youth and children.

3. A Regulatory Dilemma

The enforcement of NAFDAC's sachet alcohol ban and interventions by the OSGF and NSA has created a regulatory and enforcement impasse. The agency has argued that its action is fully supported by the Federal Ministry of Health and Social Welfare, its supervising body, in line with Sections 5 and 30 of its establishing Act, as well as a resolution by the National Assembly.⁸

The question that arises is how one should comprehend the so-called temporary halt of the NSA and OSGF in relation to NAFDAC's action and resolution by the Senate. The OSGF has argued for the need to complete work on the National Alcohol Policy, which is long-awaited and includes a clear directive on the packaging and sale of alcohol in small quantities, before the ban goes into effect. However, when one considers the extended process of policymaking in the country with no definitive timeline for release of the said policy, and the need to act now on a public health emergency that concerns vulnerable youth and children populations, one argues that taking immediate action to arrest the

latter is paramount, which in itself feeds into economic stability.

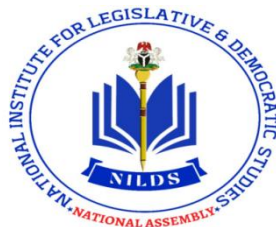
Further still, it is important to underscore that the ban being currently enforced has spanned about eight years, with multiple extensions. All parties to the five-year Memoranda-of-Understanding (MoU) in 2018, including the Association of Food, Beverages and Tobacco Employers, must be reminded that it amounts to deceitful manoeuvres and a breach of public trust for them not to have abided by the terms of the MoU, even after several extensions. It also borders on unfair business practices and anti-competitiveness for some alcohol manufacturers to have complied with the ban, while others continue to ask for endless extensions. One wonders how many more extensions must be granted to obstinate alcohol producers and distributors before action is eventually taken on such a public health emergency.

Finally, the mixed signals arising from the federal government's action and previous legislative action raises key questions around conflicting regulatory directives and how this creates legal uncertainty for industry actors and the general public. It is critically important that holders of executive offices are neither encouraged to usurp the powers of agencies established by law due to pressure by businesses, nor ignore resolutions arrived at by the legislature.

4. Recommendations

To resolve the current uncertainty around conflicting regulatory directives, lawmakers may wish to consider the following:

⁸ <https://www.arise.tv/senate-orders-total-ban-on-sachet-alcohol-by-december-2025/>



- ✓ Lawmakers may wish to refer the offices of the SGF and NSA to the November 6th Resolution of the Senate on enforcing the NAFDAC ban. Additionally, the House of Representatives may issue a similar resolution to align with that of the Senate, in order to allow for joint agreement on enforcement of the ban.
- ✓ The National Assembly may wish to amend the NAFDAC establishment Act to explicitly grant powers to the agency in relation to monitoring and enforcing the packaging, marketing, and sale of alcohol products below 200ml.
- ✓ Lawmakers may wish to engage the Executive to provide a definitive timeline for the release of the

National Alcohol Policy to the public. This will ensure that NAFDAC's regulatory powers are not subject to protracted policymaking processes.

5. Conclusion

Nigeria continues to grapple with the deep-seated problem of alcohol abuse, which has real impact for the health and behaviour of youth and children populations. While the concerns of the federal government and businesses are granted concerning the NAFDAC ban on sachet spirit drinks, this brief argues that immediate action on the ensuing public health emergency concerns is paramount as this itself feeds into economic stability. Decisive National Assembly action can restore coherence, legal certainty, and responsible public health protection.

Contact

National Institute for Legislative and
Democratic Studies
National Assembly
Plot 307 Cadastral Zone,
Umaru Musa Yar'adua Expressway
Airport Road, Abuja
Abuja, Nigeria

E-mail: info@nils.gov.ng

Website: <http://nils.gov.ng>

NILDS Liaison Office

Suite 214 Senate Wing
National Assembly Complex
Mobile: +234 806 694 5075