



CATEGORY RESPONSIBLE MARKETING

CATEGORY CONTEXT

Evidence has shown that marketing of 'less healthy' food and beverages to all sorts of consumer groups—including using channels and techniques that appeal to children and at locations where children typically gather—is a common industry practice. This type of marketing will influence consumer preferences, purchasing requests, and consumption patterns of children and adults.^{1,2}

Public health organizations in Kenya recognize that the marketing of unhealthy products is a key contributor to overweight in the country.^{3,4}

FINDINGS

Of the 12 companies assessed, three global-headquartered companies (Coca-Cola, Flora FG and Nestlé) have published policies for responsible marketing to children (see Table 2). These policies outline the companies' global commitments. However, no information was found in the public domain regarding how these commitments apply specifically in the Kenyan market. It is therefore unclear to what extent these policies are implemented in Kenya.

TABLE 1
POLICY LANDSCAPE

National Policy or Regulation	Summary
National Strategic Plan for the Prevention and Control of Non-Communicable Diseases 2021/22-2025/26	Aims to address unhealthy diets and the rising prevalence of overweight, obesity and NCDs, including through regulating the marketing of unhealthy food and beverages to children. ⁴
Food, Drugs and Chemical Substances Act	Prohibits misleading advertising and unsubstantiated claims. ⁵
Consumer Protection Act	Safeguards consumers from deceptive marketing and ensures they receive accurate product information. ⁶
Competition Act	Addresses anti-competitive practices and prevents misleading marketing strategies that could harm consumers or unfairly disadvantage competitors. ⁷
Kenya Information and Communications (Broadcasting) Act (2009)	Outlines appropriate marketing practices across broadcast media, including for children under the age of 18—mandating a watershed period between 5:00 am and 10:00pm on which only family-friendly and child-appropriate content may be shown. ⁸

TABLE 2
COMPANIES' GLOBAL POLICIES
FOR RESPONSIBLE MARKETING
TO CHILDREN

Company	Age threshold	Nutrition Criteria	Audience threshold	Media channels and techniques listed
Coca-Cola	13	No products marketed to children	30%	14
Flora FG	12	No products marketed to children	35%	13
Nestlé	16 and 13*	Only products meeting EU Pledge nutrition criteria	25%	21

* Nestlé uses the age threshold of 16 to restrict marketing to children on measured media and 13 across other media channels and marketing techniques.

During the research, ATNi did not conduct an independent assessment of the marketing practices of companies. However, during the time of the assessment, some examples were found of companies marketing products to children on their social media accounts, including Instagram and Facebook. Some examples include companies using photos and videos of children and cartoon characters that appeal to children in their posts.

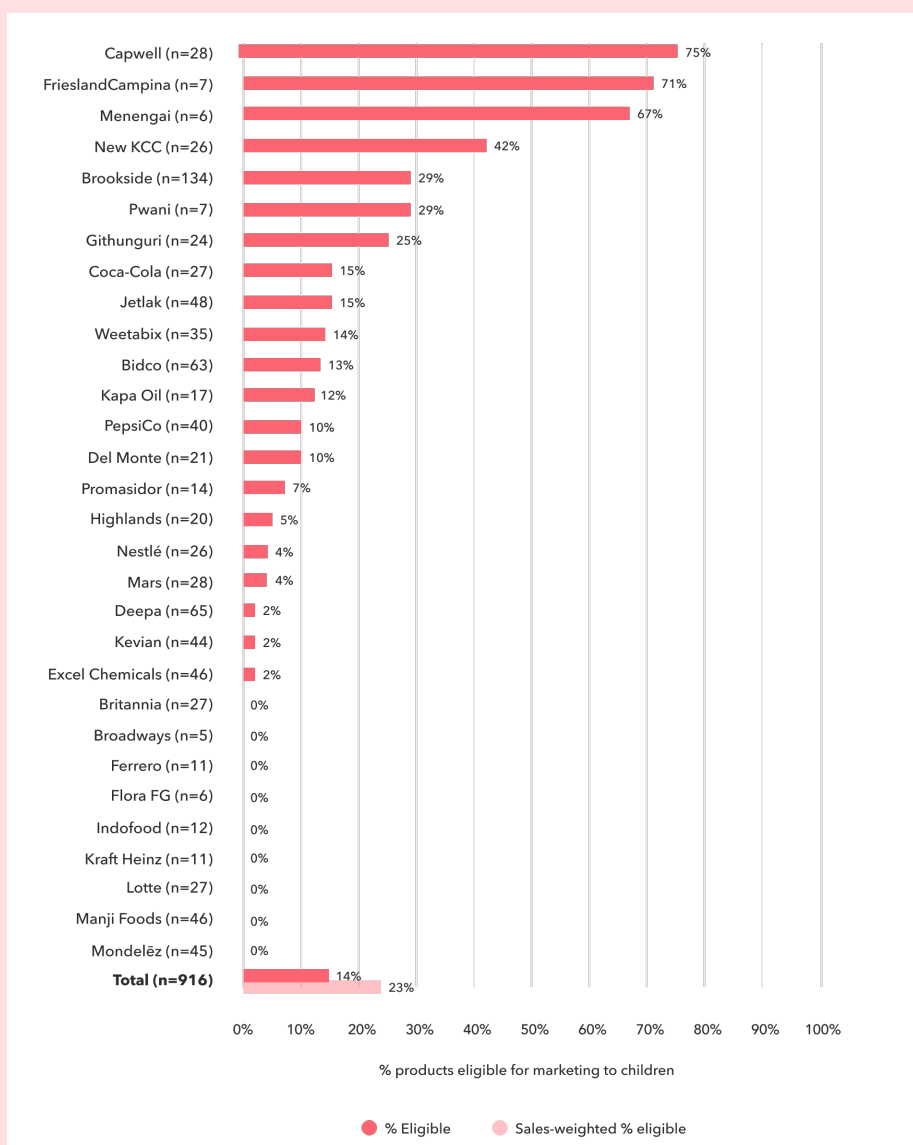
Kenya-headquartered companies in this assessment have not published information on commitments for responsible marketing to children. However, recent studies, including those published in 2024, have shown that F&B companies in Kenya disproportionately market their 'less healthy' products across a range of online platforms and other marketing channels. These include schools, TV, outdoor advertising, radio, print media, posters, and various digital channels (see ATNi's 'Packaged Food Environment Mapping Report' for the Kenyan market). This underscores the importance for companies publishing a responsible marketing policy, outlining how the company avoids direct marketing of 'less healthy' products to children.



BOX 1 PRODUCT PROFILE

ATNi's [Product Profile](#) report assessed the healthiness of 30 companies' portfolios against the World Health Organization's Africa Regional Office (WHO AFRO NPM). This model is designed to determine which products are suitable to be marketed to children under 18, and found that only 14% of companies products–23% of their sales–met the model's criteria (see Figure 1). The low number of products eligible for marketing to children is indicative of the unhealthy nature of most of the products offered by Kenya's largest F&B manufacturers and should be considered in marketing policies by the companies.

FIGURE 1
**PROPORTION OF PRODUCTS MEETING WHO AFRO ELIGIBILITY
CRITERIA FOR MARKETING TO CHILDREN IN KENYA**



INDUSTRY RECOMMENDATIONS

To avoid marketing 'less healthy' foods to all consumers including children in Kenya, food and beverage companies are encouraged to:

- Commit to adhere to the ICC Framework for Responsible Food and Beverage Marketing Communications.
- Adopt and publish a responsible marketing policy to ensure that the company does not market any products—or 'less healthy' products—to children up to 18 years of age in Kenya.
- Explicitly apply the responsible marketing policy to a comprehensive range of media channels and techniques identified by the WHO and UNICEF Guidelines.
- Commission an independent third-party audit of the company's responsible marketing commitments in Kenya, covering a wide range of media channels and marketing techniques, and publish the results.

POLICY RECOMMENDATIONS

The National Strategic Plan for the Prevention and Control of Non-Communicable Diseases 2021/22–2025/26 identifies the marketing of 'unhealthy' food and beverages to children as a key factor contributing to rising levels of obesity and NCDs in Kenya. Policymakers are encouraged to make use of this research to develop a roadmap for industry and policymakers, outlining policy measures to restrict marketing of 'unhealthy' products to children under 18.



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