



Launching a New FMCG Product in Nigeria

**Navigating Regulation, Branding,
and Market Entry Risks**

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Introduction

The Fast-Moving Consumer Goods (FMCG) Sector in Nigeria offers significant opportunities for local and foreign businesses due to the large consumer base and sustained demand for everyday products. However, launching a new FMCG product in Nigeria is a legally sensitive process that intersects with a complex regulatory framework, brand protection requirements, and market entry risks. With diverse regulators and regulations, any regulatory missteps can result in enforcement action, delayed market entry, financial loss, and reputational damage.

This article examines the regulatory, branding, and market entry considerations relevant to FMCG product launch in Nigeria and highlights how early, coordinated risk management can support lawful and sustainable market participation.



Regulation as a Threshold for Market Entry

Regulatory compliance is a threshold requirement for launching FMCG products in Nigeria. Unlike jurisdictions such as the United States or the United Kingdom, where market entry approval for FMCG products is often coordinated through a single primary regulator for a given product category, Nigeria operates a multi-agency regulatory system with different regulators exercising oversight over product safety, standards, advertising, consumer protection, and importation. Failure to meet regulatory requirements early can delay a product launch and lead to enforcement action.

For FMCG operators, regulatory approval is not procedural, it determines market access. Clearance by one regulator does not exempt a product from scrutiny by others, and non-compliance with all the necessary regulations often creates gaps that are identified only after market entry. Treating regulation as a strategic consideration enables businesses to integrate legal risk management into product development, branding, and distribution planning from the outset.

In Nigeria, key regulators include the National Agency for Food and Drug Administration and Control (NAFDAC), which regulates product safety and quality for food, beverages, cosmetics, and related products¹; the Standards Organisation of Nigeria (SON), which enforces industrial standards, labelling, and conformity requirements; the Federal Competition and Consumer Protection Commission (FCCPC), which oversees consumer protection, product claims, and fair market practices; and the Advertising Regulatory Council of Nigeria (ARCON) which regulates advertising content in Nigeria.

Likewise, while products manufactured locally do not pass through the Nigeria Customs Service (NCS), except if the raw materials are imported, imported products and raw materials require import documentation, tariffs payment, and border compliance with the NCS.

¹NAFDAC Organisation: Learn about NAFDAC, its mission, history, how it's organized, and more. NAFDAC Organisation - NAFDAC. [Accessed 15th December 2025].

Furthermore, regardless of the product, intellectual property rights must be registered to ensure brand protection, including trade mark registrations to protect the product name and unique identifiers. Copyrights, industrial designs, and patents will depend on the nature of the product. While the Registrar of Trade Marks regulates trade mark registration, the Patents and Designs Registry regulate patents and industrial designs, and the Nigerian Copyright Commission regulates copyrights.

The multi-layered nature of this framework means that regulatory compliance must be coordinated across multiple regulators. FMCG businesses that integrate regulatory planning across safety, standards, advertising, importation, and intellectual property considerations are better positioned to achieve timely market entry and reduce exposure to post launch enforcement. The scope of the regulatory functions of these regulators is summarised below.



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

Products within NAFDAC's remit must meet applicable safety and quality requirements, including pre-market registration and post-market monitoring. Products making health, nutritional, or functional claims are more likely to attract regulatory scrutiny, and misclassification can result in delayed approvals or post-launch enforcement.

Standards Organisation of Nigeria (SON)

Locally manufactured FMCG products must comply with industrial standards enforced by the Standards Organisation of Nigeria, including conformity and labelling requirements. Imported products may require certification under the SON Conformity Assessment Programme (SONCAP), while locally manufactured goods are assessed under the Mandatory Conformity Assessment Programme (MANCAP)². Non-compliance may lead to seizure, recall, or restrictions on distribution.

Federal Competition and Consumer Protection Commission (FCCPC)

The FCCPC regulates consumer-facing aspects of FMCG products, including labelling accuracy, pricing practices, and representations made to consumers. Misleading or inconsistent product information may trigger investigations or corrective action, regardless of product registration status.

Nigeria Customs Service (NCS)

Imported FMCG products and raw materials are subject to NCS requirements at the point of entry. Errors in tariff classification or incomplete documentation can result in detention, delayed clearance, or refusal of entry, even where regulatory approvals have been obtained.

² Standards Organisation of Nigeria Conformity Assessment Programme: <https://asc-africa.com/soncap/?utm>. [Accessed 15th December 2025].

Advertising Regulatory Council of Nigeria (ARCON)

Advertising and promotional materials are regulated separately by ARCON. Marketing content must comply with the ARCON Act, 2022, and approval of the product itself does not extend to advertising claims or promotional campaigns.

Addressing product classification early enables businesses to coordinate approvals across relevant regulators, reduce compliance gaps, and limit exposure to post-launch enforcement.

Trade Mark Registry, Nigerian Copyright Commission (NCC), and Patents and Designs Registry

While due compliance with regulatory requirements by the listed agencies may not look mandatory, it is not to be neglected by investors. This is because product brands, trade marks, designs, patents and ideas can be infringed on by other investors in the FMCG market. Therefore, early preventive and protective measures by registrations with these intellectual property rights regulators, in deserving cases, is indispensable.

Failure or disregard of such proactive measures could lead to loss of goodwill, reputational damage, market share loss, loss of resources and equity, and eventual striking-off of product names or designs.



Enforcement Trends and the Cost of Non-Compliance

Regulatory enforcement in Nigeria's consumer goods sector has intensified in recent years, underscoring the commercial risks of non-compliance. NAFDAC and the FCCPC have taken decisive action against products that fail to meet statutory standards, including seizures, market raids, and public warnings. For instance, in 2025, the NAFDAC seized banned, expired, and unregistered products valued at over ₦1.5 billion during a raid at the Lagos Trade Fair Market³. It also confiscated more than ₦350 million worth of expired and unregistered food and cosmetic products in Kano State during a targeted enforcement operation⁴.

The Federal Competition and Consumer Protection Commission (FCCPC) has also used its consumer protection mandate to influence market

conduct. Jumia, an online retailer delisted 390 products from its platform following warnings from the FCCPC about pricing and safety concerns⁵. In October 2025, FCCPC also warned food vendors, processors, and traders against harmful chemicals and unsafe practices that endanger public health⁶.

These enforcement actions show that non-compliance can lead to seizures, product removals, platform delisting, and public warnings, which not only affect immediate operations but also have broader implications for supply chains, brand reputation, and ongoing regulatory relations.

³ NAFDAC seizes ₦1.5b unregistered goods in Lagos raid.

NAFDAC seizes ₦1.5b unregistered goods in Lagos raid. [Accessed 15th December 2025].

⁴ NAFDAC seizes over ₦350 million worth of expired, unregistered products in Kano

NAFDAC seizes over ₦350 million worth of expired, unregistered products in Kano - Nairametrics. [Accessed 15th December 2025].

⁵ Jumia Delisted 390 Products From its Platform

Jumia delists 390 products on account of FCCPC warning over hike in prices of protective & hygiene products, assures Commission of cooperation - Federal Competition & Consumer Protection Commission. [Accessed 15th December 2025].

⁶ FCCPC warns food vendors against harmful chemicals, unsafe practices:

FCCPC warns vendors on food safety and harmful chemicals. [Accessed 15th December 2025].

Conclusion

Nigeria's FMCG market presents compelling growth opportunities, but successful product launches require more than commercial readiness. Companies that integrate regulatory compliance, brand protection, and operational oversight into a structured market entry strategy are better positioned to manage risk and sustain market presence.

By coordinating regulatory approvals, securing intellectual property rights, structuring compliant distribution arrangements, and implementing ongoing compliance monitoring, FMCG businesses can mitigate enforcement risks and transform regulatory complexity into a strategic advantage for long term participation in Nigeria's consumer market.

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Stren & Blan Partners is an innovative and dynamic Law Firm with a compelling blend of experienced lawyers and energetic talents. We are focused on providing solutions to our client's business problems and adding value to their businesses and commercial endeavours. This underpins our ethos as everything we do flows from these underlying principles.

Stren & Blan Partners is a full-service commercial Law Firm that provides legal services to diverse local and multinational corporations. We have developed a clear vision for anticipating our client's business needs and surpassing their expectations, and we do this with an uncompromising commitment to Client service and legal excellence.

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