



**MINISTRY OF HEALTH  
OFFICE OF THE CABINET SECRETARY**

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**Ref. No. MOH/BOARDS/13/Vol 1. (80)**

**18<sup>th</sup> September, 2020**

**Dr. F.M Siyoi**  
Chief Executive Officer  
Pharmacy & Poisons Board  
P.O. Box 27663 – 00506  
**NAIROBI.**

**RE: NICOTINE POUCHES LICENSE UNDER THE PHARMACY AND  
POISONS ACT**

Kenya is a Party to the World Health Organization Framework Convention on Tobacco Control (WHO- FCTC).

The Ministry of Health is at the fore front in ensuring that Kenya meets its obligations under the treaty.

The Ministry has noted with concern that licensing of nicotine pouches, sold under the brand name “LYFT”, by the Pharmacy and Poisons Board was done contrary to the provisions of Section 25 of the Pharmacy and Poisons Act CAP 244.

The nicotine pouches neither meet the descriptions of ‘Part I poison’ nor ‘Part II poison’ as prescribed in the Act.

Further, the manner in which the product is sold to the public does not meet the provisions of Section 23 of CAP 244 as required.

Similarly, market surveillance has revealed that the product is dispensed in automatic vending machines contrary to the law.



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In view of the above therefore, you are required to furnish the Ministry with comprehensive report on the criteria used and circumstances leading to the registration and licensing of the product under Pharmacy and Poisons Act.

**SEN. MUTAHI KAGWE, EGH,  
CABINET SECRETARY.**

**Copy to:     Principal Secretary  
                  Ministry of Health**



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