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Nairobi court halts unlicensed online alcohol sales

The interim order requires digital platforms to verify that buyers and recipients are at least 18 before delivery

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The High Court in Nairobi has temporarily tightened the rules for online alcohol sales in the Kenyan capital, ordering digital platforms and sellers to stop listing and delivering alcoholic drinks unless they meet licensing and age-check requirements.

In interim orders issued on Monday, November 9, at the Milimani High Court, the court suspended the listing, offering for sale, ordering, sale, supply and delivery of alcoholic drinks through e-commerce apps, websites and other digital marketplaces in Nairobi City County unless operators comply with what the court described as strict licensing, age-verification and consumer protection standards.

The court said digital platforms that facilitate alcohol sales must hold the licenses and authorizations required by law. It also directed that alcohol be sold only through designated digital sections with restricted access. Customers must pass secure authentication measures, including passwords, personal identification numbers or similar tools, before they can reach alcohol purchasing services.

The orders go further than a single age check at the point of payment. The court said platforms must reliably establish that a customer is at least 18 before granting access to alcohol sales. It also ordered a separate age verification before a transaction is completed, and another independent confirmation of the recipient’s age before delivery or handover of the alcohol.

The ruling also targets online promotion. The court barred digital advertisements, hyperlinks and other promotional tools from creating ways for users to bypass the required authentication and age-verification steps. In a separate direction, it restrained the advertising, marketing and promotion of alcoholic drinks through hyperlinks, interactive ads and similar digital tools that steer consumers to alcohol listings or purchasing facilities without the safeguards already in place.

The case was brought by David Biketi Wati against the County Government of Nairobi, the Nairobi City County Alcoholic Drinks Control and Licensing Board and another respondent. The court certified the application as urgent and granted parts of it on an interim basis while the broader challenge moves forward.

Under the timetable set by the court, the petitioner was ordered to serve the court papers, directions and interim orders on the respondents and interested parties within two days. The respondents and interested parties then have seven days from service to file and serve their responses. The matter is due back in court on November 18 for confirmation of compliance and further directions.

The orders do not amount to a final judgment on the legality of online alcohol sales in Nairobi, but they place immediate pressure on companies operating in the space. For beer, wine and spirits sellers that rely on apps, websites and delivery partners, the ruling could force changes in how products are displayed, how customers enter age-restricted sections and how delivery staff verify identity at the door. It could also raise

compliance obligations for digital marketplaces that host third-party alcohol sellers.

The decision points to growing judicial and regulatory attention on how alcohol is sold online, especially when sales move through general retail apps or digital marketplaces that may also carry groceries, restaurant orders and other consumer goods. The court's focus on both pre-purchase and delivery-stage age checks suggests concern not only about who places an order, but also about whether alcohol can end up in the hands of minors after a transaction is completed.

The restrictions also highlight a broader issue for beverage companies and distributors in urban e-commerce markets. If courts and regulators increasingly demand tighter controls, platforms may need to redesign digital storefronts, restrict alcohol advertising links and train delivery workers to perform age verification consistently. That could reshape how alcoholic drinks are marketed and distributed online in Nairobi, even before the court reaches a final decision in the case.

For now, the immediate effect is clear: online alcohol sales and promotions in Nairobi can continue only if operators satisfy the court's licensing and access-control requirements while the legal challenge remains before the court.