



28 March 2026

CCCC Merger Inquiry Notice No. 16 of 2026

Notice of Inquiry into the Proposed Joint Venture between Toyota Tsusho Corporation, Unicharm Corporation and CFAO Kenya Limited in relation to the manufacture and sale of Feminine hygiene absorbent products in Kenya

It is hereby notified in terms of Article 26 of the COMESA Competition Regulations (the “**Regulations**”) that the COMESA Competition Commission (the “**Commission**”), after receiving a notification in terms of Article 24 of the Regulations regarding the proposed joint venture between Toyota Tsusho Corporation (“**Toyota Tsusho**”), Unicharm Corporation (“**Unicharm**”), and CFAO Kenya Limited (“**CFAO Kenya**”) to jointly form a Joint Venture Company (the “**JV**”), whose objective is to manufacture and sell Feminine hygiene absorbent products in Kenya, intends to embark on an inquiry in terms of Article 26 of the Regulations.

The parties submitted that Toyota Tsusho, is a company duly organized and existing under the laws of Japan and is a general trading company with a presence in East African countries in the field of automotive logistics, projects & industrial equipment, agricultural equipment, and chemicals & fertilizer. The parties further submitted that Toyota possesses business networks within the global automotive market, experience in vehicle logistics, and a strategic focus on developing new businesses areas, including energy and infrastructure, agriculture, and Information Communication Technology. Within the Common Market, Toyota Tsusho operates in the Democratic Republic of Congo (the “**DRC**”), Kenya, Madagascar, Malawi, Mauritius, Rwanda, Uganda, Zambia, and Zimbabwe. Further details on Toyota Tsusho, including its various group companies, details of directors, core activities, management and major shareholders can be found on its website at <http://www.toyota-tsusho.com>.

The parties submitted that Unicharm is a company duly incorporated under the laws of Japan. Unicharm manufactures products and provide services that are essential for maintaining hygienic lifestyles for every generation of people, from infants to the elderly, and products and services that enrich life with pets. The parties further submitted that the major business lines for Unicharm include feminine hygiene absorbent products, baby hygiene absorbent products, wellness hygiene absorbent products (for elderly people), pet care products, and commercial-use food packaging materials. Within the Common Market, Unicharm operates in the DRC, Egypt, Kenya, Libya, Rwanda, and Sudan.

The parties submitted that CFAO Kenya, is a member of the Toyota Tsusho group of companies and is a company involved in the business of agriculture, consumer goods, infrastructure and the energy sector in Kenya.

The parties submitted that Toyota Tsusho, CFAO Kenya and Unicharm intend to enter into a joint venture for the purpose of selling specific Unicharm products. The parties further submitted that the JV, whose proposed name is 'Sofy East Africa Limited', will be incorporated in Kenya following the signing of a Joint Venture Agreement between Unicharm, Toyota Tsusho and CFAO Kenya and upon the receipt of all regulatory approvals. Under the Joint Venture Agreement, the parties will jointly form the company whose objective will be to manufacture and sell feminine hygiene absorbent products in Kenya.

The parties submitted that the JV is not expected to have any negative effect on competition or the public interest in the Common Market as the products to be sold by the JV shall be sold and used only for/by the Kenyan market. The parties further submitted that in the future, the JV may expand into Uganda, however for the time being, it will not have any activity or impact in the other member states of Common Market.

The parties submitted that the proposed JV will enable the parties to pool technical expertise, operational knowhow, and market experience, thereby improving efficiency and strengthening the overall competitiveness of the combined operations. Additionally, the JV will contribute positively to the Kenyan economy by stimulating new investment, creating more employment opportunities, and supporting the development of local skills and capacity.

The Commission will, in accordance with the provisions of the Regulations, determine, among other things, whether the proposed transaction is likely to substantially prevent or lessen competition or would be contrary to the public interest as provided for under Article 26 of the Regulations.

In view of this, the Commission hereby gives notice to all interested stakeholders, including competitors, suppliers and customers of the parties of the proposed transaction and requests them submit written representations to the Commission with regard to the subject matter of the proposed inquiry by emailing them to: mdebessay@comesacompetition.org. All written representations should be sent to the Commission not later than **18 April 2026**.

If you wish to seek further details and/or clarifications on any aspect of this proposed transaction or need assistance you may get in touch with **Mr. Mengistu Debessay, Principal Analyst, Competition Division** on Tel: +265 (0) 111 772 466 or mdebessay@comesacompetition.org.

All written representations submitted to the Commission will be treated with the strictest confidentiality and will only be used for the purpose of this inquiry.