

1 kratom product to such a degree as to render the kratom product
2 injurious to a consumer;

3 2. A kratom product that is contaminated with a dangerous
4 nonkratom substance. A kratom product is contaminated with a
5 dangerous nonkratom substance if the kratom product contains a
6 substance that is not safe for human consumption;

7 3. A kratom product containing a level of 7-hydroxymitragynine
8 in the alkaloid fraction that is greater than two percent (2%) of
9 the alkaloid composition of the product;

10 4. A kratom product containing any synthetic alkaloid including
11 synthetic mitragynine, synthetic 7-hydroxymitragynine or any other
12 synthetically derived compounds of the kratom plant; or

13 5. A kratom product containing any controlled substance listed
14 in the Uniform Controlled Dangerous Substances Act, unless the
15 product is compounded by a licensed pharmacist with the controlled
16 substance dispensed in accordance with a valid prescription.

17 B. Kratom products shall be accompanied by a label, or a quick
18 response (QR) code on the product label linked to a website, bearing
19 the following information prior to its sale in this state:

20 1. A list of the ingredients, which shall include the common or
21 usual name of each ingredient used in the manufacture of the
22 product, listed in descending order of predominance;

23 2. That the sale or transfer of kratom to a person under
24 eighteen (18) years of age is prohibited;

1 3. The amount of mitragynine and 7-hydroxymitragynine contained
2 in the product;

3 4. The amount of mitragynine and 7-hydroxymitragynine contained
4 in packaging for the product;

5 5. The name and the principal street address of the vendor or
6 the person responsible for distributing the product;

7 6. ~~The suggested~~ Clear and adequate directions for the
8 consumption and safe and effective use of the such product,
9 including the recommended serving size, the number of servings in
10 the container, the number of servings that can be safely consumed in
11 a day, and the time frame within which safe consumption should
12 occur; and

13 7. Any precautionary statements as to the safety and
14 effectiveness of the product, including a warning that a consumer
15 should consult his or her physician on questions about use of
16 kratom, and state that the kratom product is not intended to
17 "diagnose, treat, cure, or prevent any disease"; and

18 8. A statement that a kratom product label is prohibited from
19 making any therapeutic claims unless approved by the United States
20 Food and Drug Administration.

21 C. A vendor may not distribute, sell or expose for sale a
22 kratom product to an individual under eighteen (18) years of age.
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1 D. Upon request by the State Department of Health, the vendor
2 shall provide test results from a United States-based testing
3 facility to confirm the items listed on the product label.

4 SECTION 2. This act shall become effective November 1, 2024.

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6 COMMITTEE REPORT BY: COMMITTEE ON ALCOHOL, TOBACCO AND CONTROLLED
7 SUBSTANCES, dated 02/14/2024 - DO PASS, As Coauthored.

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