

1 ENGROSSED SENATE
2 BILL NO. 891

By: Murdock and Prieto of the
Senate

3 and

4 Pae of the House

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7 An Act relating to kratom products; amending 63 O.S.
8 2021, Section 1-1432.2, as amended by Section 1,
9 Chapter 278, O.S.L. 2024 (63 O.S. Supp. 2024, Section
10 1-1432.2), which relates to definitions used in the
11 Oklahoma Kratom Consumer Protection Act; modifying
12 definitions; updating statutory reference; and
13 providing an effective date.

14 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

15 SECTION 1. AMENDATORY 63 O.S. 2021, Section 1-1432.2, as
16 amended by Section 1, Chapter 278, O.S.L. 2024 (63 O.S. Supp. 2024,
17 Section 1-1432.2), is amended to read as follows:

18 Section 1-1432.2. As used in ~~this act~~ the Oklahoma Kratom
Consumer Protection Act:

19 1. "Food" means a food, food product, food ingredient, dietary
20 ingredient, dietary supplement or beverage for human consumption;

21 2. "Kratom leaf" means the leaf of the kratom plant, *Mitragyna*
22 *speciosa*, in fresh or dehydrated or dried form that undergoes no
23 post-harvest processing other than drying or size reduction by
24 cutting, milling, or similar procedure, and may be cleaned or

1 sterilized using standard treatments applied to food ingredients,
2 such as heat, steam, pressurization, or irradiation or other
3 standard treatments applied to food ingredients. The total alkaloid
4 content of kratom leaf material used in the kratom product shall not
5 exceed three and one-half percent (3.5%) measured on a dried weight-
6 to-weight basis;

7 3. "Kratom leaf extract" means the material obtained by
8 extracting kratom using a solvent consisting of:

- 9 a. water, ethanol, or food-grade carbon dioxide (CO₂), or
- 10 b. any other solvent allowed by federal or state
11 regulation for use in manufacturing a food ingredient.

12 The extracted material shall contain mitragynine as the most
13 abundant alkaloid, measured on a weight-to-weight basis, and at a
14 level that is equal to or exceeds twice that of any other alkaloid
15 present. The ratio of mitragynine to other alkaloids in the extract
16 shall be equal to or greater than the ratio found in the starting
17 material;

18 4. "Kratom product" means a food or dietary supplement that
19 consists of or contains kratom leaf or kratom leaf extract that does
20 not contain any synthesized kratom alkaloids, other synthesized
21 kratom constituents, or synthesized metabolites of any kratom
22 constituent in which the level of 7-hydroxymitragynine, on a percent
23 weight basis, is not greater than one percent (1%) of the amount of
24 total kratom alkaloids, as confirmed with a high-performance liquid

1 chromatography testing method. For purposes of this paragraph,
2 "synthesized" refers to substances produced using directed synthetic
3 or biosynthetic chemistry, as opposed to traditional food
4 preparation techniques such as heating or extracting;

5 5. "Total kratom alkaloids" means the sum of mitragynine,
6 speciociliatine, speciogynine, paynantheine, and 7-
7 hydroxymitragynine; and

8 6. "Vendor" means a person or entity that sells, prepares or
9 maintains kratom products or that advertises, represents or holds
10 himself, herself, or itself out as selling, preparing or maintaining
11 kratom products and includes a manufacturer, wholesaler, store,
12 restaurant, hotel, catering facility, camp, bakery, delicatessen,
13 supermarket, grocery store, convenience store, nursing home or food
14 or drink company.

15 SECTION 2. This act shall become effective November 1, 2025.
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