

LEGISLATIVE ANALYSIS AND PUBLIC POLICY ASSOCIATION

# KRATOM: SUMMARY OF STATE LAWS

JANUARY 2026



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# KRATOM: SUMMARY OF STATE LAWS

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## SUMMARY

Kratom is an herb derived from a leafy Southeast Asian tree, known formally as *Mitragyna speciosa*.<sup>1</sup> Over 50 alkaloids<sup>2</sup> have been identified in the kratom plant, but the two most studied alkaloids are mitragynine, which is the most abundant alkaloid in the plant, and 7-hydroxymitragynine (7-OH), which is a minor alkaloid that comprises less than two percent of the total alkaloid content in natural kratom leaves.<sup>3</sup> Both mitragynine and 7-OH can bind to mu-opioid receptors in the brain and produce a pharmacological response similar to effects produced by other mu-opioid agonists, such as morphine; however, 7-OH demonstrates substantially greater mu-opioid receptor potency than mitragynine and morphine.<sup>4</sup> Kratom produces a mild stimulant effect in small doses, opioid-like effects in moderate to high doses, and sedative properties in very high doses.<sup>5</sup>

The availability and use of kratom has increased substantially in the U.S. since the early 2000s.<sup>6</sup> According to the 2024 National Survey on Drug Use and Health, an estimated 5.3 million Americans aged 12 and older reported using kratom during their lifetime and an estimated 1.8 million Americans aged 12 and older reported using kratom during 2024 alone.<sup>7</sup> Kratom products are sold mainly in smoke shops, gas stations, convenience stores, and online retailers and are often marketed as dietary supplements. Kratom products, which include natural kratom and kratom extracts and concentrates, can be sold in a variety of forms, including as a powder, capsule, tablet, liquid, or gummies. Individuals report using kratom to treat various conditions, including chronic pain, anxiety, depression, opioid use disorder, and opioid withdrawal.<sup>8</sup> For more information about the history of kratom and its uses, please see the Legislative Analysis and Public Policy Association (LAPPA)'s [kratom factsheet](#).

At the federal level, kratom products are not explicitly regulated via statute or regulation, and kratom, mitragynine, or 7-OH are not considered controlled substances. However, the U.S. Food and Drug Administration (FDA) has concluded that kratom is not appropriate for use as a dietary supplement because there is inadequate scientific information to provide the agency with reasonable assurance that such ingredient does not present a significant or unreasonable risk of illness or injury.<sup>9</sup> Thus, the FDA considers dietary supplements that are or contain kratom to be

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<sup>1</sup> *FDA and Kratom*, U.S. FOOD AND DRUG ADMINISTRATION (Dec. 2, 2025), <https://www.fda.gov/news-events/public-health-focus/fda-and-kratom>.

<sup>2</sup> Alkaloids are a class of naturally occurring, organic, nitrogen-containing bases that are mainly found in plants and have significant physiological effects on humans and other animals. Examples of other alkaloids include morphine, quinine, ephedrine, and nicotine. *Alkaloid*, BRITANNICA (Dec. 24, 2025), <https://www.britannica.com/science/alkaloid>.

<sup>3</sup> *FDA and Kratom*, *supra* note 1.

<sup>4</sup> *Id.*

<sup>5</sup> *Kratom: What Clinicians Need to Know*, NEW YORK STATE DEPARTMENT OF HEALTH (Dec. 2025), [https://health.ny.gov/community/drug\\_use/kratom/clinicians.htm](https://health.ny.gov/community/drug_use/kratom/clinicians.htm).

<sup>6</sup> *Id.*

<sup>7</sup> *Results from the 2024 National Survey on Drug Use and Health: Detailed Tables*, U.S. DEP'T OF HEALTH & HUM. SERVS., SUBSTANCE ABUSE & MENTAL HEALTH SERVS. ADMIN., Table 8.17A and 8.18A (2025).

<sup>8</sup> *FDA and Kratom*, *supra* note 1.

<sup>9</sup> *Id.*

adulterated under the Food, Drug, and Cosmetics Act.<sup>10</sup> Additionally, the FDA has determined that kratom, when added to food, is an unsafe food additive, and that food containing kratom is considered adulterated.<sup>11</sup> The FDA has partnered with U.S. Customs and Border Protection and the U.S. Department of Justice to take actions to limit the sale of unlawful kratom products in the U.S., but kratom products are challenging for the FDA to regulate due to the complex and fragmented supply chain of kratom distributors, wholesalers, and retailers.<sup>12</sup>

Recently, the FDA has primarily focused its attention on 7-OH. In July 2025, the it issued a news release recommending that the federal government take action to schedule certain 7-OH products under the Controlled Substances Act.<sup>13</sup> The FDA is particularly concerned about synthetic, concentrated 7-OH products that are readily available in a variety of retail locations, many of which may be appealing to children and/or not be clearly or accurately labeled.<sup>14</sup> While FDA Commissioner Marty Makary, MD, has called 7-OH a dangerous opioid, he has stated that the kratom plant, which contains trace amounts of 7-OH is not the focus of the FDA.<sup>15</sup>

While the federal government has yet to take any definitive action to ban or regulate kratom, mitragynine, or 7-OH through statutory or regulatory means, several states have done so. Within the past decade, a number of states have placed limitations on—without wholly prohibiting—the possession, distribution, sale, and/or manufacture of kratom products. These limitations occasionally involve setting forth specific information that must be disclosed on a kratom product’s label. In contrast, other states have designated mitragynine and/or 7-OH as Schedule I controlled substances, thus making certain kratom products illegal.

During 2022, LAPPA undertook a research project to identify both currently-in-force statutes and recently proposed legislation, throughout all 50 states, the District of Columbia, and the U.S. territories regarding how they addressed kratom, mitragynine, and 7-OH . LAPPA is aware that city and county ordinances related to kratom exist, however, keeping track of new and amended local laws is difficult due to the fact there a legal database containing the municipal code for all U.S. counties and incorporated places does not exist. This document contains the results of this research project and has been updated periodically since its initial publication. Starting on page 12, LAPPA provides jurisdiction-by-jurisdiction tables describing aspects of each law currently in effect as of January 2026, including:

- Statutory or regulatory citation(s), if any;
- Dates of substantive amendments to the cited statutes or regulations, if any;
- Whether kratom or its related substances are controlled in the jurisdiction;

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<sup>10</sup> 21 U.S.C. § 342(f)(1)(B).

<sup>11</sup> 21 U.S.C. § 342(a)(2)(C)(i).

<sup>12</sup> *FDA and Kratom*, *supra* note 1.

<sup>13</sup> *FDA Takes Steps to Restrict 7-OH Opioid Products Threatening American Consumers*, U.S. FOOD AND DRUG ADMINISTRATION (July 29, 2025), <https://www.fda.gov/news-events/press-announcements/fda-takes-steps-restrict-7-oh-opioid-products-threatening-american-consumers>.

<sup>14</sup> *Id.*

<sup>15</sup> Marty Makary, *Beware: Synthetic Kratom—7-OH—is Powering a New Opioid Crisis*, NEW YORK POST (July 29, 2025), <https://nypost.com/2025/07/29/opinion/beware-synthetic-kratom-7-oh-powers-a-new-opioid-crisis/>.

- Defined terms;
- Limitations on the possession, distribution, sale, or manufacture of kratom products;
- Requirements for kratom product labels;
- Penalties for violations;
- Other kratom related provisions of note; and
- Recently proposed legislation.

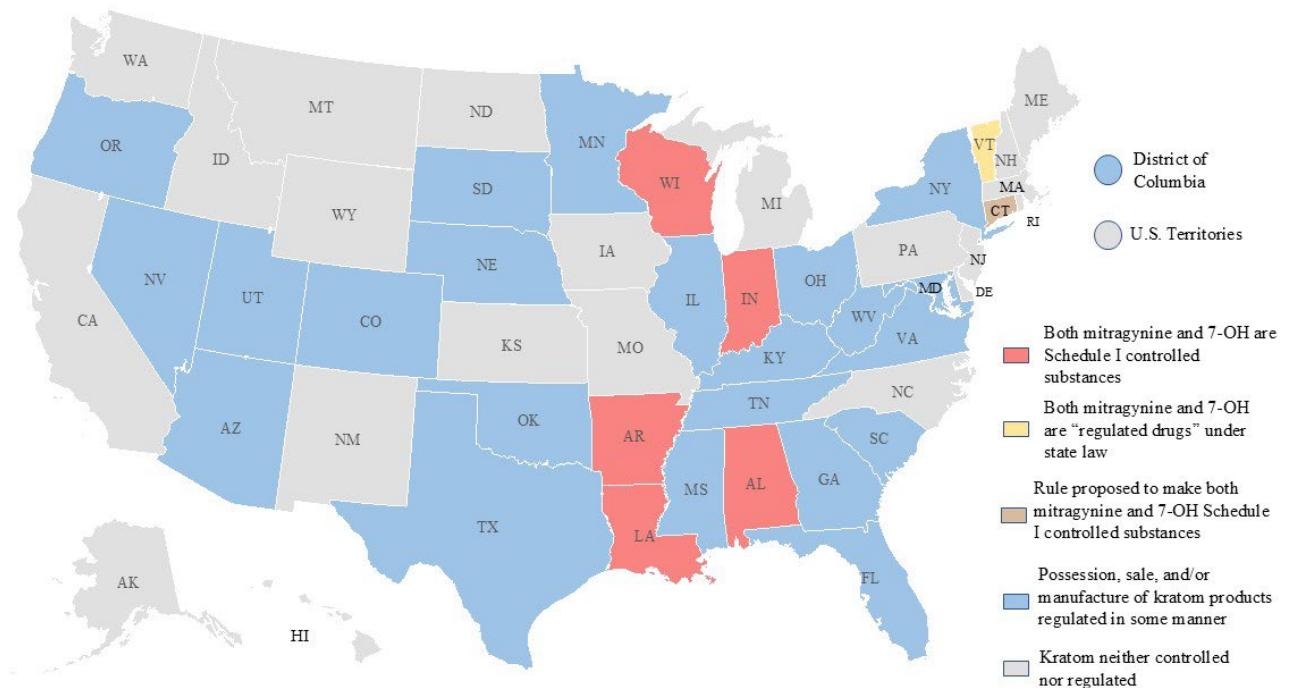
LAPPA designed this document to: (1) provide a singular resource for each jurisdiction's laws; (2) allow for a comparison of these laws between jurisdictions; and (3) identify and highlight interesting provisions. The primary conclusions from the research and analysis are set forth below, accompanied by several maps depicting many of the results in graphic form.<sup>16</sup>

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<sup>16</sup> The goal of this research document is to provide accurate and complete information that is free of omissions or errors. If you believe that this document contains misinformation, omissions, or errors, please email LAPPA at [info@thelappa.org](mailto:info@thelappa.org).

- As of January 2026, 30 states and the District of Columbia regulate kratom or its components in some manner. In six states (Alabama, Arkansas, Indiana, Louisiana, Vermont, and Wisconsin), mitragynine and 7-OH are considered controlled substances, which results in all kratom products being banned in the state.<sup>17</sup> Connecticut has issued a proposed rule to schedule both mitragynine and 7-OH, but as of January 2026, the rule has not been finalized. In 23 states and the District of Columbia, the possession, sale, manufacture, and the like of kratom products is regulated in some fashion. The level at which kratom products are regulated in these jurisdictions varies greatly, ranging from simple age restrictions to detailed licensing schemes for kratom retailers and processors. Twenty states do not control or regulate kratom in any manner. Additionally, kratom is not regulated or controlled in any of the U.S. territories.

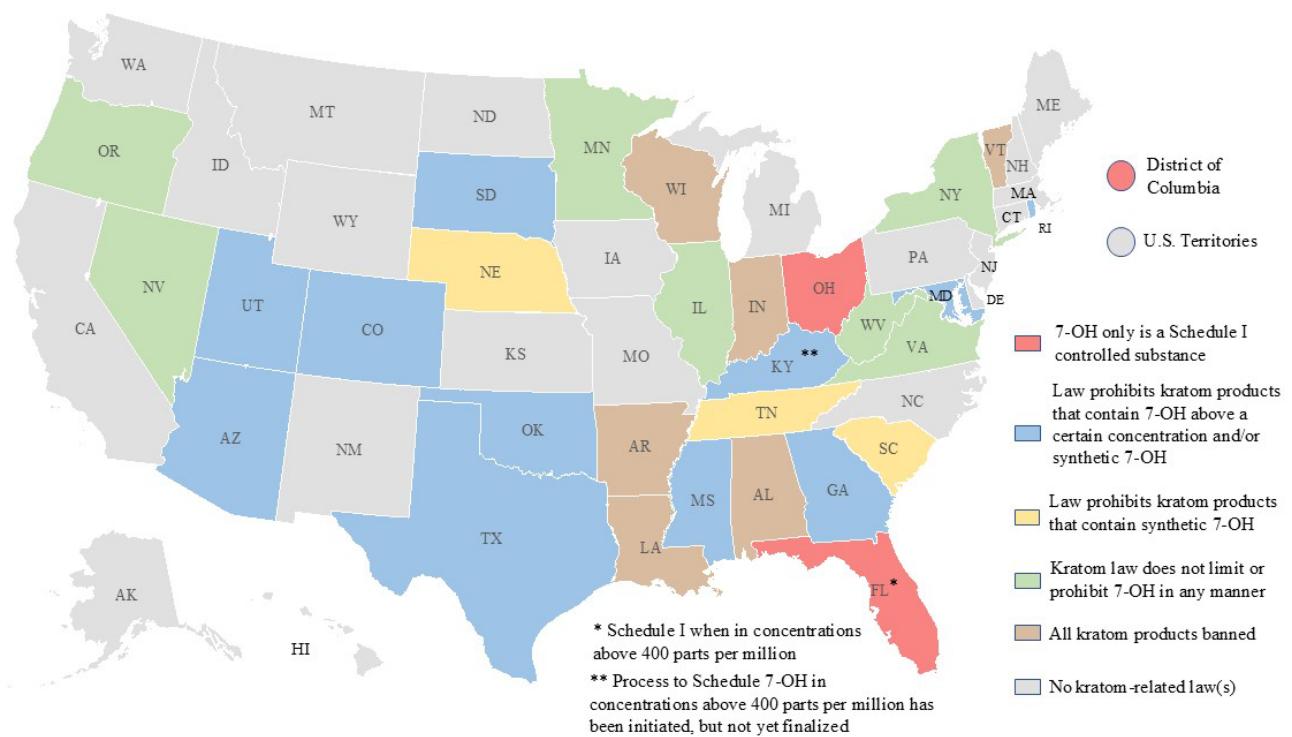
### Kratom: Regulation of Components and Products



<sup>17</sup> In Vermont, kratom's components are "regulated drugs," making them generally illegal except as specifically allowed. VT. STAT. ANN. tit. 18, § 4205 (West 2025). In the remaining jurisdictions, kratom components are Schedule I controlled substances.

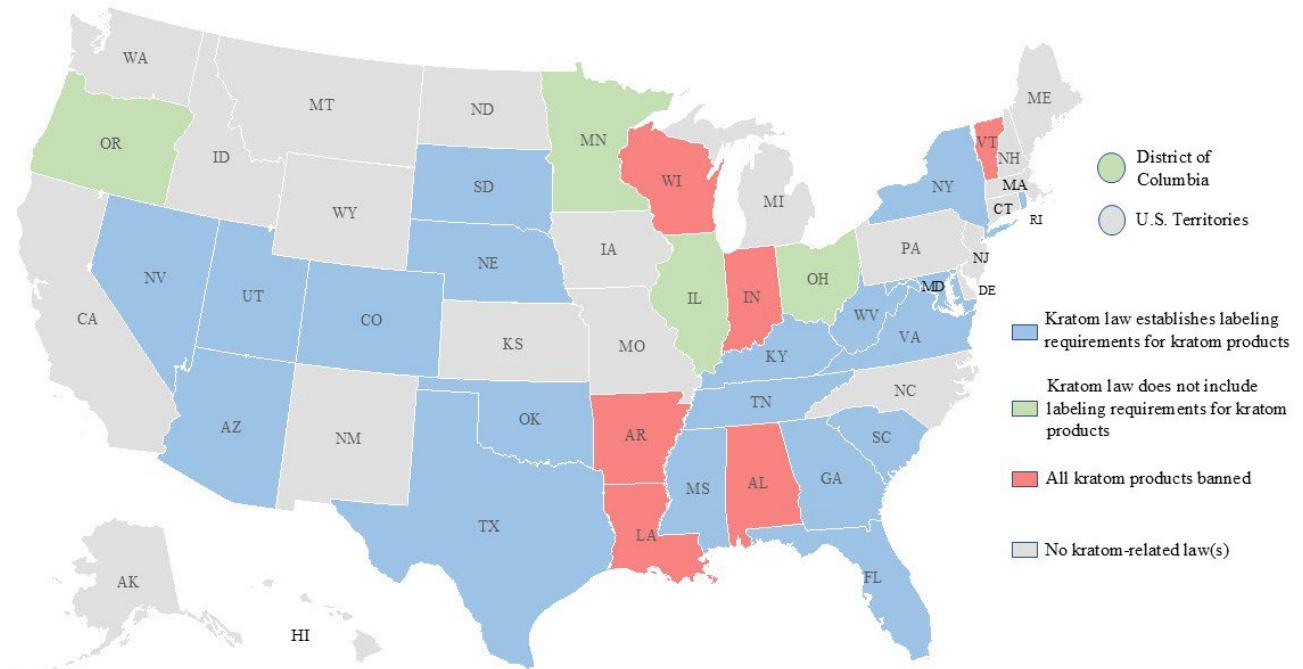
- Two states (Florida and Ohio) and the District of Columbia have chosen not to completely ban kratom products through the scheduling of both mitragynine and 7-OH and have instead decided to only schedule 7-OH as a Schedule I controlled substance. There are also 14 states that have not scheduled any of the kratom alkaloids, but have decided to place limits on the allowable concentration of 7-OH in kratom products and/or prohibit synthetic 7-OH products from being sold. This allows for the sale of natural kratom products that contain only trace amounts of 7-OH, while prohibiting the sale of potentially dangerous concentrated 7-OH products.

### Kratom: Regulation of 7-hydroxymitragynine (7-OH)



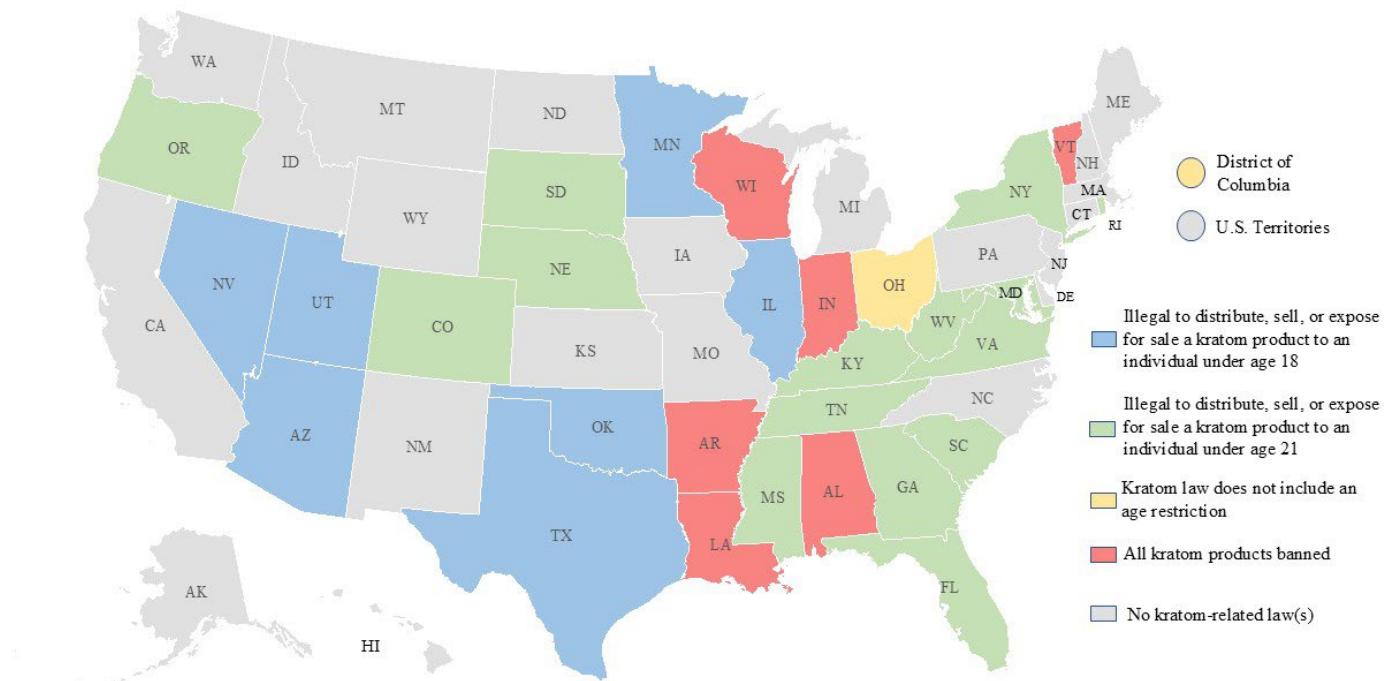
- Nineteen states implement product labeling requirements for kratom products in their laws. In these states, kratom products that do not adhere to the labeling requirements are illegal to distribute or sell. What information must be on the label varies by state but often includes contact information for the product manufacture, safety risks, product disclaimers, and ingredient lists.

### Kratom: Product Labeling Requirements



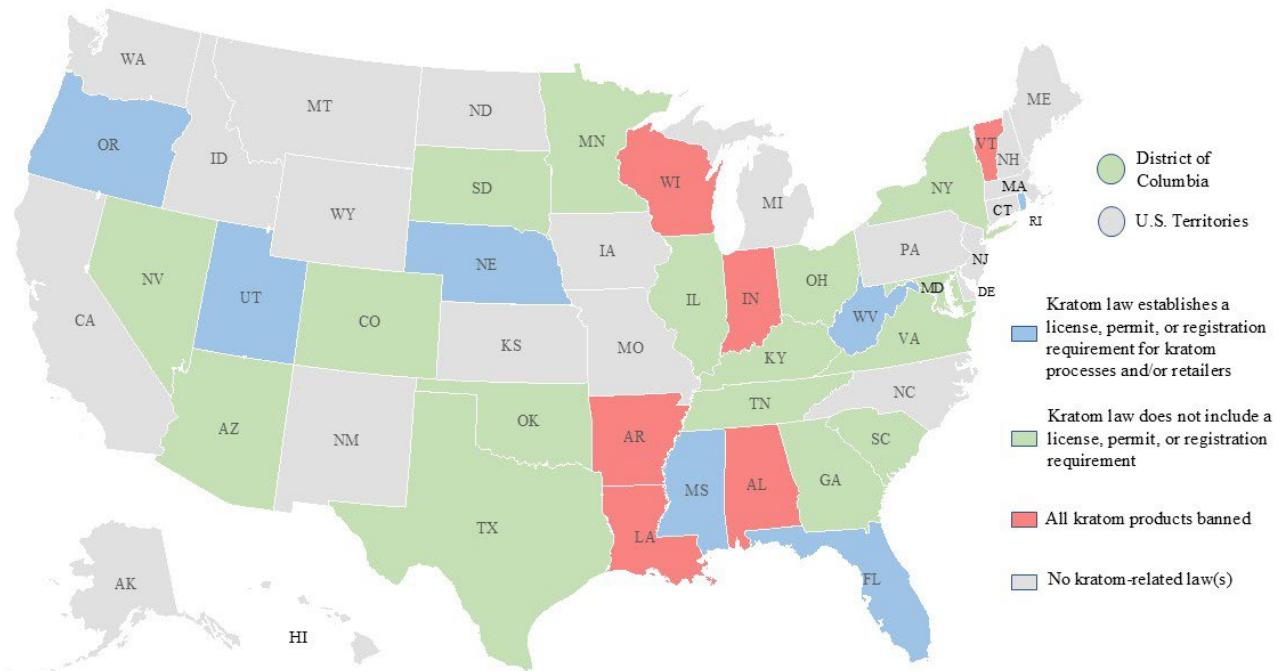
- Twenty-two states place an age restriction on the purchase of kratom products. In seven states (Arizona, Illinois, Minnesota, Nevada, Oklahoma, Texas, and Utah), kratom products are restricted to individuals over the age of 18. In the other 15 states, the age restriction is age 21 and older.

## Kratom: Age Restrictions on Products



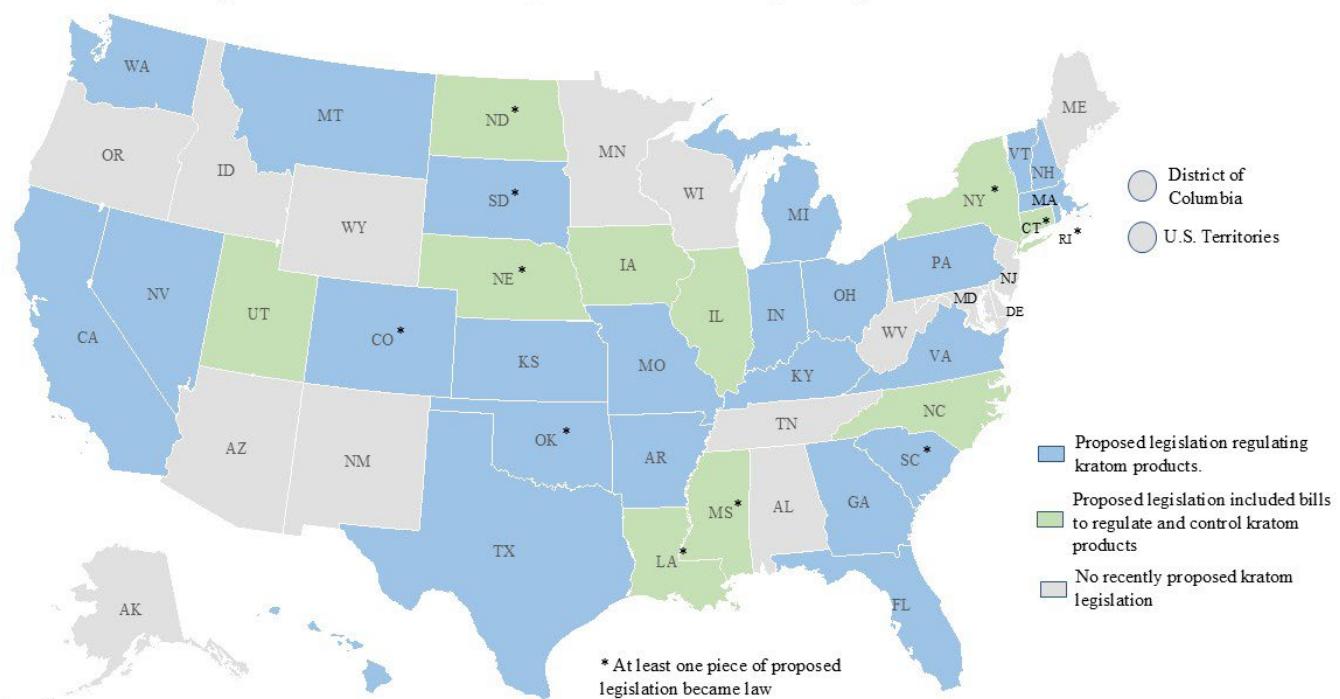
- In seven states (Florida, Mississippi, Nebraska, Oregon, Rhode Island, Utah, and West Virginia), the law establishes a license, permit, or registration requirement for kratom processors and/or kratom retailers. Such requirements prohibit kratom products from unlicensed processors from being sold in the state and prohibit unlicensed retailers from selling or offering for sale any kratom products.

### Kratom: License, Permit, or Registration Requirement



- During 2025 and as of January of 2026, 35 states introduced legislation related to kratom. Of those 35 states, 22 states introduced legislation to regulate the possession, distribution, sale, or manufacture of kratom products in some fashion. Ten states (Connecticut, Illinois, Iowa, Louisiana, Mississippi, Nebraska, New York, North Carolina, North Dakota, and Utah) introduced dueling pieces of legislation—that is, state legislators introduced at least one bill to schedule mitragynine and 7-OH and at least one bill to regulate the possession, distribution, sale, or manufacture of kratom products. The conflictive nature of the proposed legislation underscores the controversies involving kratom and differing perspectives of its use and safety. In 11 of these 35 states, at least one piece of kratom-related legislation became law.

#### Kratom: Proposed 2025 and 2026 Legislation Addressing Components or Products



<b><u>ALABAMA</u></b>	
<b>Statute(s) and/or regulation(s)</b>	ALA. CODE § 20-2-23 (West 2025)
<b>Relevant substantive amendment(s)</b>	May 10, 2016 – Kratom-related substances added to the list of Schedule I controlled substances.
<b>Is kratom or its related substances controlled?</b>	Yes. Mitragynine and 7-hydroxymitragynine are Schedule I controlled substances.
<b>Defined term(s)</b>	None
<b>Limitations on possession, distribution, sale, or manufacture</b>	The limitations placed by Alabama law on Schedule I controlled substances.
<b>Product label requirements</b>	None
<b>Penalties for violations</b>	The penalties placed by Alabama law on Schedule I controlled substances.
<b>Other statewide provisions of note</b>	None
<b>Recently proposed legislation</b>	None

<b><u>ALASKA</u></b>	
<b>Statute(s) and/or regulation(s)</b>	None
<b>Relevant substantive amendment(s)</b>	N/A
<b>Is kratom or its related substances controlled?</b>	N/A
<b>Defined term(s)</b>	N/A
<b>Limitations on possession, distribution, sale, or manufacture</b>	N/A
<b>Product label requirements</b>	N/A
<b>Penalties for violations</b>	N/A
<b>Other statewide provisions of note</b>	N/A
<b>Recently proposed legislation</b>	None

<u>ARIZONA</u>	
<b>Statute(s) and/or regulation(s)</b>	ARIZ. REV. STAT. ANN. §§ 36-795 to 36-795.03 (West 2025)
<b>Relevant substantive amendment(s)</b>	<ul style="list-style-type: none"> <li>August 27, 2019 - Law effective</li> <li>September 24, 2022 – Amendment modifying definitions, contamination of product provisions, and applicability of statute relating to pure food control.</li> </ul>
<b>Is kratom or its related substances controlled?</b>	No.
<b>Defined term(s)</b>	<ul style="list-style-type: none"> <li>“Processor” is a person that sells, prepares, manufactures, distributes, wholesales, or maintains kratom products or that advertises, represents, or holds itself out as selling, preparing or maintaining kratom products.”</li> <li>“Retailer” is a person that sells or distributes kratom products or that advertises, represents, or holds itself out as selling or maintaining kratom products.</li> <li>“Kratom product” is a food product or dietary ingredient containing any part of the leaf of the plant <i>Mitragyna speciosa</i>.</li> </ul>
<b>Limitations on possession, distribution, sale, or manufacture</b>	<ul style="list-style-type: none"> <li>Processors and retailers may not prepare, distribute, sell, or expose for sale any kratom products: <ul style="list-style-type: none"> <li>Adulterated with a dangerous non-kratom substance;</li> <li>Contaminated with a dangerous non-kratom substance, including any controlled substance;</li> <li>Containing a level of 7-hydroxymitragynine in the alkaloid fraction that is greater than two percent of the alkaloid composition of the product; or</li> <li>Containing any synthetic alkaloid, including synthetic mitragynine, synthetic 7-hydroxymitragynine or any other synthetically derived compounds of the kratom plant.</li> </ul> </li> <li>Processors and retailers may not distribute, sell, or expose for sale a kratom product to an individual under age 18.</li> </ul>
<b>Product label requirements</b>	<ul style="list-style-type: none"> <li>Processors and retailers that prepare, distribute, sell, or expose for sale a food that is represented to be a kratom product must disclose on the product label the factual basis on which that representation is made.</li> <li>Processors and retailers may not prepare, distribute, sell, or expose for sale a kratom product that does not include on its package or label the amount of mitragynine and 7-hydroxymitragynine contained in the product.</li> </ul>

<b><u>ARIZONA</u></b>	
<b>Penalties for violations</b>	<ul style="list-style-type: none"><li>• Violations are class 2 misdemeanors.</li><li>• Individuals aggrieved by a violation may bring a private cause of action in a court of competent jurisdiction for damages resulting from that violation, including economic, noneconomic or consequential damages.</li><li>• Violations and enforcement are also governed by ARIZ. REV. STAT. ANN. §§ 36-901 to 36-980 (West 2025) (statutes governing pure food control).</li></ul>
<b>Other statewide provisions of note</b>	A processor or retailer does not violate the law if a court finds by a preponderance of the evidence that the dealer relied in good faith on the representation of a manufacturer, processor, packer, or distributor that the food was a kratom product.
<b>Recently proposed legislation</b>	None

<b><u>ARKANSAS</u></b>	
<b>Statute(s) and/or regulation(s)</b>	ARK. ADMIN. CODE § 007.07.2 (West 2025)
<b>Relevant substantive amendment(s)</b>	November 8, 2015 – Kratom-related substances added to the list of Schedule I controlled substances
<b>Is kratom or its related substances controlled?</b>	Yes. Mitragynine and 7-hydroxymitragynine are Schedule I controlled substances.
<b>Defined term(s)</b>	None
<b>Limitations on possession, distribution, sale, or manufacture</b>	The limitations placed by Arkansas law on Schedule I controlled substances.
<b>Product label requirements</b>	None
<b>Penalties for violations</b>	The penalties placed by Arkansas law on Schedule I controlled substances.
<b>Other statewide provisions of note</b>	None
<b>Recently proposed legislation</b>	Yes, see <a href="#">Recently Proposed Legislation</a> .

<b><u>CALIFORNIA</u></b>	
<b>Statute(s) and/or regulation(s)</b>	None
<b>Relevant substantive amendment(s)</b>	N/A
<b>Is kratom or its related substances controlled?</b>	N/A
<b>Defined term(s)</b>	N/A
<b>Limitations on possession, distribution, sale, or manufacture</b>	N/A
<b>Product label requirements</b>	N/A
<b>Penalties for violations</b>	N/A
<b>Other statewide provisions of note</b>	N/A
<b>Recently proposed legislation</b>	Yes, see <a href="#">Recently Proposed Legislation</a> .

<b><u>COLORADO</u></b>	
<b>Statute(s) and/or regulation(s)</b>	<ul style="list-style-type: none"> <li>• COLO. REV. STAT. ANN. § 18-13-132 (West 2025) (furnishing kratom products to underage individuals)</li> <li>• COLO. REV. STAT. ANN. § 44-1-105 (West 2025) (regulation of kratom, prohibited acts, and definition)</li> <li>• COLO. REV. STAT. ANN. § 6-1-740 (West 2025) (kratom deceptive trade practice)</li> </ul>
<b>Relevant substantive amendment(s)</b>	<ul style="list-style-type: none"> <li>• August 10, 2022 - § 18-13-132 and § 44-1-105 effective</li> <li>• May 29, 2025 - § 6-1-740 effective</li> </ul>
<b>Is kratom or its related substances controlled?</b>	No.
<b>Defined term(s)</b>	<ul style="list-style-type: none"> <li>• “Kratom product” as defined by § 18-13-132 and § 44-1-105 means any product or ingredient containing: (1) any part of the leaf of the <i>Mitragyna speciosa</i> plant if the plant contains the alkaloid mitragynine or 7-hydroxymitragynine; or (2) a synthetic material that contains the alkaloid mitragynine or 7-hydroxymitragynine.</li> <li>• “Adulterated” means the addition of fentanyl or any other controlled substance, a synthesized alkaloid or semi-synthesized alkaloid, or another substance prohibited by law.</li> <li>• “Alkaloid fraction” means a portion of a plant or plant extract that contains primarily alkaloid compounds.</li> <li>• “Kratom leaf” means the leaf of the <i>Mitragyna speciosa</i> plant, in fresh, dehydrated, or dried form.</li> <li>• “Kratom left extract” means the material extracted from a kratom leaf through the application of a solvent consisting of water, ethanol, food-grade carbon dioxide, or another solvent allowed by federal or state law to be used in the manufacturing of a food ingredient.</li> <li>• “Kratom product” as defined by § 6-1-740 means a food or dietary supplement that consists of, or contains, any part of a kratom leaf, a kratom leaf extract, or any kratom alkaloid, kratom constituent, or kratom metabolite and does not include any synthesized alkaloids or semi-synthesized alkaloids.</li> </ul>

<b><u>COLORADO</u></b>	
<b>Defined term(s) (continued)</b>	<ul style="list-style-type: none"> <li>“Semi-synthesized alkaloid” means an alkaloid or alkaloid derivative contained in a kratom leaf extract that has been exposed to chemicals or processes that would confer a structural change in the alkaloids, such as oxidation, reduction, and ring opening and closing, resulting in material that has been chemically altered.</li> <li>“Synthesized alkaloid” means an alkaloid or alkaloid derivative of the kratom leaf that has been created by chemical synthesis or biosynthetic means, including fermentation, recombinant techniques, yeast-derived techniques, and enzymatic techniques, rather than by traditional food preparation techniques such as heating or extracting.</li> </ul>
<b>Limitations on possession, distribution, sale, or manufacture</b>	<ul style="list-style-type: none"> <li>Under § 18-13-132, an individual may not give, sell, distribute, dispense, or offer for sale a kratom product to any individual who is under age 21. Before giving, selling, distributing, dispensing, or offering to sell to an individual any kratom product, a person shall request from the individual and examine a government-issued photo ID that establishes that the individual is 21 years of age or older.</li> <li>Under § 44-1-105, an individual shall not: <ul style="list-style-type: none"> <li>Knowingly prepare, distribute, advertise, sell, or offer to sell a kratom product that is adulterated with fentanyl, or any other controlled substance;</li> <li>Knowingly prepare, distribute, advertise, sell, or offer to sell a kratom product to an individual under 21 years of age; or</li> <li>Display or store kratom products in a retail location in a manner that will allow the products to be accessed by individuals under 21 years of age.</li> </ul> </li> <li>Under § 6-1-740, an individual shall not knowingly prepare, distribute, advertise, sell, or offer to sell a kratom product: <ul style="list-style-type: none"> <li>That is adulterated;</li> <li>To an individual under 21 years of age;</li> <li>That contains a level of 7-hydroxymitragynine in the alkaloid fraction that is greater than two percent of the alkaloid composition of the kratom product;</li> <li>That is a confection; mimics a candy product; or is manufactured, packaged, labeled, or distributed in a way that is appealing to children, including in the distinct shape of a human, animal, or fruit; or</li> <li>That is combustible or intended for vaporization.</li> </ul> </li> </ul>

<b><u>COLORADO</u></b>	
<b>Limitations on possession, distribution, sale, or manufacture (continued)</b>	<ul style="list-style-type: none"> <li>• Under § 6-1-740, an individual shall not display or store kratom products in a retail location in a manner that will allow the products to be accessed by individuals under 21-years of age.</li> <li>• Under § 6-1-740, an individual shall not manufacture, package, label, or distribute a kratom product that: (1) contains synthesized alkaloids or semi-synthesized alkaloids; or (2) has a level of 7-hydroxymitragynine in the alkaloid fraction that is greater than two percent of the alkaloid composition of the product.</li> </ul>
<b>Product label requirements</b>	<ul style="list-style-type: none"> <li>• Under § 44-1-105, an individual shall not sell a kratom product that does not have a label that clearly sets forth: (1) the identity and address of the manufacturer; and (2) the full list of ingredients in the kratom product.</li> <li>• Under § 6-1-740, the label of a kratom product must clearly and conspicuously set forth the following on each retail package: <ul style="list-style-type: none"> <li>○ Disclosure and advice: (1) against use by individuals who are under 21-years of age, pregnant, or breastfeeding; (2) to consult a healthcare professional prior to use; (3) that kratom may be habit-forming; and (4) that kratom may interact with certain medications, drugs, and controlled substances;</li> <li>○ The following statements: (1) “These statements have not been evaluated by the Food and Drug Administration. This product is not intended to diagnose, treat, cure, or prevent any disease.”; and (2) “Keep out of reach of children.”; and</li> <li>○ Directions for use that include: (1) a recommended amount of the kratom product per serving; (2) the number of recommended servings per package; (3) a recommended number of servings of the kratom product that can be safely consumed in a 24-hour period; and (4) quantitative declarations of the amount of mitragynine and the amount of 7-hydroxymitragynine per serving of the kratom product.</li> </ul> </li> </ul>

<b><u>COLORADO</u></b>	
<b>Penalties for violations</b>	<ul style="list-style-type: none"> <li>• An individual who violates § 18-13-132 commits a civil infraction subject to a fine of \$200. It is an affirmative defense to a prosecution if the person purchasing the kratom product presented a government-issued phot ID that identified the individual as being 21 years of age or older and the person furnishing the kratom product reasonably relied upon that ID.</li> <li>• The executive director of the department of revenue will determine the penalties for prohibited actions under § 44-1-105.</li> <li>• An individual that conducts the activities described in § 6-1-740 engages in a deceptive trade practice.</li> </ul>
<b>Other statewide provisions of note</b>	Nothing in § 18-13-132 prohibits a statutory or home rule municipality, county, or city from enacting an ordinance or resolution that prohibits the sale of any kratom products to individuals under 21 years of age or imposes requirements more stringent than provided in that section; however, a statutory or home rule municipality, county, or city and county shall not enact an ordinance or resolution that establishes a minimum age to purchase kratom products that is under 21 years of age.
<b>Recently proposed legislation</b>	None, other than legislation enacted in 2025.

<b><u>CONNECTICUT</u></b>	
<b>Statute(s) and/or regulation(s)</b>	CONN. GEN. STAT. ANN. § 21a-243 (West 2025)
<b>Relevant substantive amendment(s)</b>	June 24, 2025 - Legislature requires the Commissioner of Consumer Protection to adopt regulations scheduling <i>Mitragyna speciosa</i> , including its leaves, stem, and any extracts; and 7-hydroxymitragynine.
<b>Is kratom or its related substances controlled?</b>	Yes. The Legislature asked the Commissioner of Consumer Protection to adopt regulations scheduling <i>Mitragyna speciosa</i> , including its leaves, stem, and any extracts; and 7-hydroxymitragynine. The Commissioner has proposed adding <i>Mitragyna speciosa</i> and 7-hydroxymitragynine to Schedule I and held a public comment period from September 18, 2025 through October 20, 2025. The Commissioner held a public hearing on the topic on October 15, 2025. A final rule has yet to have been published. <sup>18</sup>
<b>Defined term(s)</b>	None
<b>Limitations on possession, distribution, sale, or manufacture</b>	If the proposed rule is adopted, the limitations placed by Connecticut law on Schedule I controlled substances.
<b>Product label requirements</b>	None
<b>Penalties for violations</b>	If the proposed rule is adopted, the penalties placed by Connecticut law on Schedule I controlled substances.
<b>Other statewide provisions of note</b>	None
<b>Recently proposed legislation</b>	Yes, see <a href="#">Recently Proposed Legislation</a> .

<sup>18</sup> Connecticut eRegulations System, last accessed Jan. 18, 2026.  
<https://eregulations.ct.gov/eRegsPortal/Search/RMRView/PR2025-018>.

<b><u>DELAWARE</u></b>	
<b>Statute(s) and/or regulation(s)</b>	None
<b>Relevant substantive amendment(s)</b>	N/A
<b>Is kratom or its related substances controlled?</b>	N/A
<b>Defined term(s)</b>	N/A
<b>Limitations on possession, distribution, sale, or manufacture</b>	N/A
<b>Product label requirements</b>	N/A
<b>Penalties for violations</b>	N/A
<b>Other statewide provisions of note</b>	N/A
<b>Recently proposed legislation</b>	None

<b><u>DISTRICT OF COLUMBIA</u></b>	
<b>Statute(s) and/or regulation(s)</b>	D.C. Mun. Regs. tit. 22-B § 1201 (2025) <sup>19</sup>
<b>Relevant substantive amendment(s)</b>	March 25, 2016 – 7-hydroxymitragynine added to the list of Schedule I controlled substances via regulation.
<b>Is kratom or its related substances controlled?</b>	Yes. According to current District of Columbia regulations (but not statute), 7-hydroxymitragynine is a Schedule I controlled substance. Nothing in statute or regulation addresses mitragynine.
<b>Defined term(s)</b>	None
<b>Limitations on possession, distribution, sale, or manufacture</b>	The limitations placed by District of Columbia law on Schedule I controlled substances.
<b>Product label requirements</b>	None
<b>Penalties for violations</b>	The penalties placed by District of Columbia law on Schedule I controlled substances.
<b>Other statewide provisions of note</b>	None
<b>Recently proposed legislation</b>	None

<sup>19</sup> The legal status of kratom in the District of Columbia (D.C.) appears unclear. District law contains two lists of controlled substances, one in statute and one in regulation. According to the Schedule I in statute (D.C. CODE § 48-902.04 (West 2025)), neither kratom nor its psychoactive compounds, mitragynine and 7-hydroxymitragynine, are scheduled or have ever been scheduled. In contrast, according to the Schedule I in regulation (D.C. Mun. Regs. tit. 22-B § 1201 (2023)), D.C. authorities placed 7-hydroxymitragynine into the schedule in March 2016, where it remains today. Several online sources suggest that D.C. authorities removed 7-hydroxymitragynine from Schedule I in 2019. See, e.g., *Is Kratom Legal in Washington D.C.?*, KRAOMA (April 12, 2019), <https://kraoma.com/kratom-washington-dc-legality/>. These sources may conflate the 2019 amendment to D.C. CODE § 48-902.04 (which as noted above, did not contain 7-hydroxymitragynine prior to the amendment), with removing 7-hydroxymitragynine from the enumerated list of Schedule I substances in D.C. regulations. It is possible that natural kratom products or those that contain only mitragynine are legal to sell in the District, but products that only containing 7-hydroxymitragynine are banned, however, there is nothing explicitly stating this in District law or regulation.

<b><u>FLORIDA</u></b>	
<b>Statute(s) and/or regulation(s)</b>	<ul style="list-style-type: none"> <li>• FLA. STAT. ANN. § 500.92 (West 2025) (Florida Kratom Consumer Protection Act)</li> <li>• FLA. ADMIN. CODE ANN. r. 5K-4.030 (West 2025) (Kratom products)</li> <li>• FLA. ADMIN. CODE ANN. r. 2ER25-2 (West 2025) (7-hydroxymitragynine scheduling)</li> <li>• FLA. ADMIN. CODE ANN. r. 5KER25-6 (West 2025) (7-hydroxymitragynine labeling requirement)</li> </ul>
<b>Relevant substantive amendment(s)</b>	<ul style="list-style-type: none"> <li>• July 1, 2023 - § 500.92 effective</li> <li>• January 10, 2024 - Rule 5k-4.030 effective</li> <li>• August 19, 2025 - Rule 2ER25-2 effective</li> <li>• December 17, 2025 - Rule 5KER25-6 effective</li> </ul>
<b>Is kratom or its related substances controlled?</b>	Yes, 7-hydroxymitragynine in concentrations above 400 parts per million on a dry-weight basis is a Schedule I controlled substance.
<b>Defined term(s)</b>	<ul style="list-style-type: none"> <li>• “Kratom product” is defined as a food product, food ingredient, dietary ingredient, dietary supplement, or beverage intended for human consumption which contains any part of the leaf of the plant <i>Mitragyna speciosa</i> or an extract, synthetic alkaloid, or synthetically derived compound of such plant and is manufactured as a powder, capsule, pill, beverage, or other edible form.</li> <li>• “Food establishment” is defined as a means a factory, food outlet, or other facility manufacturing, processing, packing, holding, storing, or preparing food or selling food at wholesale or retail. (FLA. STAT. ANN. § 500.03 (West 2025)).</li> <li>• “Self-service merchandising” means an open display of kratom products to which the public has access without the intervention of the vendor or a store employee.</li> <li>• “Vending machines” means any self-service device, which upon completion of payment, dispense kratom products without the necessity of replenishing the device between each operation.</li> </ul>

<u>FLORIDA</u>	
<b>Limitations on possession, distribution, sale, or manufacture</b>	<ul style="list-style-type: none"> <li>It is unlawful to sell, deliver, barter, furnish, or give, directly or indirectly, any kratom product to a person who is under 21 years of age.</li> <li>Any retailer that sells kratom shall post a clear and conspicuous sign direct adjacent to the display of the product which states the following: "THE SALE OF KRATOM TO PERSONS UNDER THE AGE OF 21 IS PROHIBITED. PROOF OF AGE IS REQUIRED FOR PURCHASE."</li> <li>Kratom may not be mailed, shipped, or otherwise delivered to a purchaser unless, before the delivery to the purchaser, the food establishment obtains confirmation that the purchaser is 21 years of age or older.</li> <li>Kratom shall not be offered for sale by means of self-service merchandising unless proof of age has been verified before allowing access to the self-service merchandising.</li> <li>The giving or sampling of kratom products by a food establishment to any individual under the age of 21 is prohibited.</li> <li>Kratom products shall not be offered for sale by means of vending machines.</li> </ul>
<b>Product label requirements</b>	<ul style="list-style-type: none"> <li>The label and advertisement for a kratom product shall not contain claims indicating the product is intended for diagnosis, cure, mitigation, treatment, or prevention of disease.</li> <li>Kratom products shall declare on the label the concentration of 7-hydroxymitragynine, expressed in parts per million (PPM) on a dry-weight basis, of the net contents of the package.</li> </ul>
<b>Penalties for violations</b>	<ul style="list-style-type: none"> <li>An individual who violates § 500.92 is guilty of a misdemeanor of the second degree.</li> <li>Kratom products distributed or sold in violation of Rules 5K-4.030 and 5KER25-6 shall be considered adulterated or misbranded. Violations of Rules 5K-4.030 and 5KER25-6 shall result in the imposition of stop-sale/stop-use orders, an administrative fine of up to \$5,000 per violation, permit suspension, permit revocation, or any combination thereof. Kratom products distributed or sold in violation of Rules 5K-4.030 and 5KER25-6 are subject to being embargoed, detained, or destroyed under FLA. STAT. ANN. § 500.172 (West 2025).</li> </ul>

<b><u>FLORIDA</u></b>	
<b>Other statewide provisions of note</b>	Each establishment distributing products consisting of or containing kratom products must be permitted as a “food establishment.” The annual permit fee for a food establishment distributing kratom products is \$650.00.
<b>Recently proposed legislation</b>	Yes, see <a href="#">Recently Proposed Legislation</a> .

<b><u>GEORGIA</u></b>	
<b>Statute(s) and/or regulation(s)</b>	GA. CODE ANN. §§ 16-13-120 to 16-13-122 (West 2025)
<b>Relevant substantive amendment(s)</b>	<ul style="list-style-type: none"> <li>April 26, 2019 - Law effective</li> <li>January 1, 2025 - Kratom law amended to add new definitions, changed the age requirement from 18 years of age to 21 years of age, added additional requirements on the sale or transfer of kratom, and placed limitations on product concentrations</li> </ul>
<b>Is kratom or its related substances controlled?</b>	No.
<b>Defined term(s)</b>	<ul style="list-style-type: none"> <li>“Adulterated” has the same definition of GA. CODE ANN. § 26-2-26 (West 2025).</li> <li>“Kratom” means the tropical evergreen known as <i>Mitragyna speciosa</i>, which is native to Southeast Asia and contains the alkaloid mitragynine or metabolite 7-hydroxymitragynine.</li> <li>“Kratom extract” means a kratom product that has been modified, processed, or otherwise manufactured with a food-grade solvent.</li> <li>“Kratom product” means a product containing any part of the leaf of the plant <i>Mitragyna speciosa</i> whether sold as a powder, capsule, pill, beverage, extract, or other form.</li> <li>“Processor” means a person or entity that prepares, manufacturers, distributes, or maintains kratom products or that advertises, represents, or holds itself out as preparing, manufacturing, distributing, or maintaining kratom products.</li> <li>“Retailer” means a person or entity that sells or holds itself out as selling kratom products at retail to the general public; provided, however, that such person or entity shall also be included within the definition of “processor” to the extent that he or she engages in the business of a processor. Such term shall not include a store employee at a retailer’s place of business.</li> </ul>
<b>Limitations on possession, distribution, sale, or manufacture</b>	<ul style="list-style-type: none"> <li>No individual shall knowingly sell or transfer possession of any kratom, kratom product, or kratom extract to another individual under 21 years of age, nor shall any individual under 21 years of age purchase or possess any kratom, kratom product, or kratom extract.</li> </ul>

<b><u>GEORGIA</u></b>	
<b>Limitations on possession, distribution, sale, or manufacture (continued)</b>	<ul style="list-style-type: none"><li>• No individual shall ingest kratom in a manner that employs a heating element, power source, electronic circuit, or other electronic, chemical, or mechanical means, regardless of shape or size, that can be used to produce vapor in a solution or other form, including, but not limited to, any electronic cigarette, electronic cigar, electronic cigarillo, electronic pipe, or similar product or device and any vapor cartridge or other container of kratom in a solution or other form that is intended to be used with or in an electronic cigarette, electronic cigar, electronic cigarillo, electronic pipe, or similar product or device.</li><li>• No individual shall offer for sale kratom in this state unless such product is behind a counter in an area only accessible to store employees or in a secured display which is only accessible with the intervention of a store employee.</li><li>• All kratom products sold in, or delivered to, this state shall be derived from the natural kratom plant, and any manufactured or processed kratom product, including kratom extracts, shall not be modified, chemically or otherwise, processed, synthesized, or otherwise treated in any way that increases the levels of mitragynine or 7-hydroxymitragynine.</li><li>• No kratom product sold in, or delivered to, this state shall have a concentration ratio that is:<ul style="list-style-type: none"><li>○ Greater than 150 mg mitragynine per serving;</li><li>○ Greater than 0.5 mg 7-hydroxymitragynine per gram; or</li><li>○ Greater than 1 mg 7-hydroxymitragynine per serving.</li></ul></li><li>• A processor or retailer shall not prepare, distribute, sell, or expose for sale a kratom product that:<ul style="list-style-type: none"><li>○ Is adulterated;</li><li>○ Contains or uses in its processing or manufacturing a food substance that is not generally recognized as safe in food products;</li><li>○ Contains any synthetic alkaloids or metabolite including synthetic mitragynine, synthetic 7-hydroxymitragynine, or any other synthetically derived compounds of the kratom plant; or</li><li>○ Is in a form that employs a heating element, power source, electronic circuit, or other electronic, chemical, or mechanical means, that can be used to produce vapor in a solution or other form.</li></ul></li></ul>

<u>GEORGIA</u>	
<b>Product label requirements</b>	<p>Kratom packaging must be accompanied by a label bearing the following information prior to its sale in Georgia:</p> <ul style="list-style-type: none"> <li>• Clearly labeled ingredients;</li> <li>• That the sale or transfer possession of kratom to another person under 21 years of age is prohibited;</li> <li>• The amount of mitragynine and 7-hydroxymitragynine contained in such product;</li> <li>• The amount of mitragynine and 7-hydroxymitragynine contained in the packaging for such product;</li> <li>• The common or usual name of each ingredient used in the manufacture of such product, listed in descending order of predominance;</li> <li>• The name and the principal mailing address of the manufacturer or the person responsible for distributing such product;</li> <li>• Clear and adequate directions for the consumption, include the recommended serving size and the time frame within which safe consumption should occur;</li> <li>• Any precautionary statements as to the safety and effectiveness of such product, including a warning that a consumer should consult their physician on questions about use of kratom, and state that the kratom product is not intended to “diagnose, treat, cure or prevent any disease”; and</li> <li>• A statement that a kratom product label is prohibited from making any therapeutic claims unless approved by the United States Food and Drug Administration.</li> </ul>
<b>Penalties for violations</b>	<ul style="list-style-type: none"> <li>• Any person convicted of violating the provisions of § 16-13-121, is guilty of a misdemeanor; provided, however, that, for a conviction of a first offense, such individual shall be punished by a fine not to exceed \$250.00; for a conviction of a second offense, such individual shall be punished by a fine of up to \$500.00; and for a conviction of a third offense and each subsequent offense, such individual shall be punished by a fine of up to \$1,000.00.</li> <li>• A processor or retailer who knowingly or with criminal negligence commits an act in violation of § 16-13-122 shall, upon a first conviction thereof, be guilty of a misdemeanor of a high and aggravated nature, and upon a subsequent conviction, be guilty of a felony, and shall be punished by imprisonment for not less than one year nor more than 15 years, by a fine not to exceed \$100,000.00, or both.</li> </ul>

<u>GEORGIA</u>	
<b>Penalties for violations (continued)</b>	<ul style="list-style-type: none"> <li>• A processor who negligently commits an act in violation of § 16-13-122 shall be guilty of a misdemeanor and subject to a fine not to exceed \$1,000.00.</li> <li>• A retailer who negligently commits an act in violation of § 16-13-122 shall be guilty of a misdemeanor; provided, however, that, for a conviction of a first offense, such individual shall be punished by a fine not to exceed \$250.00; for a conviction of a second offense, such individual shall be punished by a fine of up to \$500.00; and for a conviction of a third offense, such individual shall be punished by a fine of up to \$1,000.00; provided, further, that upon each subsequent conviction after a third conviction, such individual shall be guilty of a high and aggravated misdemeanor and shall be imprisoned for not less than ten days nor more than 12 months and punished by a fine of not less than \$1,000.00 nor more than \$5,000.00.</li> <li>• A retailer shall have a defense to prosecution if such retailer proves by a preponderance of the evidence that the retailer relied in good faith upon the representations of a processor that the kratom, kratom product, or kratom extract and labeling complied with the provisions of the law.</li> </ul>
<b>Other statewide provisions of note</b>	A processor shall maintain a registered agent in this state for service of process for the entire duration of such entity's engagement in the business of a processor.
<b>Recently proposed legislation</b>	Yes, see <a href="#">Recently Proposed Legislation</a> .

<b><u>HAWAII</u></b>	
<b>Statute(s) and/or regulation(s)</b>	None
<b>Relevant substantive amendment(s)</b>	N/A
<b>Is kratom or its related substances controlled?</b>	N/A
<b>Defined term(s)</b>	N/A
<b>Limitations on possession, distribution, sale, or manufacture</b>	N/A
<b>Product label requirements</b>	N/A
<b>Penalties for violations</b>	N/A
<b>Other statewide provisions of note</b>	N/A
<b>Recently proposed legislation</b>	Yes, see <a href="#">Recently Proposed Legislation</a> .

<b><u>IDAHO</u></b>	
<b>Statute(s) and/or regulation(s)</b>	None
<b>Relevant substantive amendment(s)</b>	N/A
<b>Is kratom or its related substances controlled?</b>	N/A
<b>Defined term(s)</b>	N/A
<b>Limitations on possession, distribution, sale, or manufacture</b>	N/A
<b>Product label requirements</b>	N/A
<b>Penalties for violations</b>	N/A
<b>Other statewide provisions of note</b>	N/A
<b>Recently proposed legislation</b>	None

<b><u>ILLINOIS</u></b>	
<b>Statute(s) and/or regulation(s)</b>	720 ILL. COMP. STAT. ANN. 642/5 (West 2025)
<b>Relevant substantive amendment(s)</b>	January 1, 2015 - Law effective
<b>Is kratom or its related substances controlled?</b>	No.
<b>Defined term(s)</b>	“Kratom” means any parts of the plant <i>Mitragyna speciosa</i> , whether growing or not, and any compound, manufacture, salt, derivative, mixture, or preparation of that plant, including but not limited to mitragynine and 7-hydroxymitragynine.
<b>Limitations on possession, distribution, sale, or manufacture</b>	<ul style="list-style-type: none"> <li>• Individuals under age 18 may not knowingly purchase or possess any product containing any quantity of kratom.</li> <li>• In the furtherance or facilitation of obtaining any product containing kratom, an individual under age 18 may not knowingly display or use a false or forged identification card or transfer, alter, or deface an identification card.</li> <li>• A person may not knowingly sell, buy for, distribute samples of, or furnish any product containing any quantity of kratom to an individual under 18 years of age.</li> </ul>
<b>Product label requirements</b>	None
<b>Penalties for violations</b>	<ul style="list-style-type: none"> <li>• Purchasing or possessing kratom by a minor is a Class B misdemeanor.</li> <li>• Selling, buying for, or distributing kratom to a minor is a Class B misdemeanor for which the offender must be fined no less than \$500.</li> </ul>
<b>Other statewide provisions of note</b>	None
<b>Recently proposed legislation</b>	Yes, see <a href="#">Recently Proposed Legislation</a> .

<u>INDIANA</u>	
<b>Statute(s) and/or regulation(s)</b>	<ul style="list-style-type: none"> <li>• IND. CODE ANN. § 35-48-2-4 (West 2025) (Schedule I controlled substance)</li> <li>• IND. CODE ANN. § 35-31.5-2-321 (West 2025) (definition of synthetic drug)</li> </ul>
<b>Relevant substantive amendment(s)</b>	July 1, 2012 - Mitragynine and 7-hydroxymitragynine added to definition of synthetic drugs.
<b>Is kratom or its related substances controlled?</b>	Yes. Mitragynine and 7-hydroxymitragynine are considered “synthetic drugs.” All synthetic drugs listed in IND. CODE ANN. § 35-31.5-2-321 (West 2025) are Schedule I controlled substances.
<b>Defined term(s)</b>	“Synthetic drug” means a substance containing one or more of the chemical compounds, including an analog of the compound, listed in IND. CODE ANN. § 35-31.5-2-321 (West 2025).
<b>Limitations on possession, distribution, sale, or manufacture</b>	The limitations placed by Indiana law on Schedule I controlled substances.
<b>Product label requirements</b>	None
<b>Penalties for violations</b>	The penalties placed by Indiana law on Schedule I controlled substances.
<b>Other statewide provisions of note</b>	None
<b>Recently proposed legislation</b>	Yes, see <a href="#">Recently Proposed Legislation</a> .

<b><u>IOWA</u></b>	
<b>Statute(s) and/or regulation(s)</b>	None
<b>Relevant substantive amendment(s)</b>	N/A
<b>Is kratom or its related substances controlled?</b>	N/A
<b>Defined term(s)</b>	N/A
<b>Limitations on possession, distribution, sale, or manufacture</b>	N/A
<b>Product label requirements</b>	N/A
<b>Penalties for violations</b>	N/A
<b>Other statewide provisions of note</b>	N/A
<b>Recently proposed legislation</b>	Yes, see <a href="#">Recently Proposed Legislation</a> .

<b><u>KANSAS</u></b>	
<b>Statute(s) and/or regulation(s)</b>	None
<b>Relevant substantive amendment(s)</b>	N/A
<b>Is kratom or its related substances controlled?</b>	N/A
<b>Defined term(s)</b>	N/A
<b>Limitations on possession, distribution, sale, or manufacture</b>	N/A
<b>Product label requirements</b>	N/A
<b>Penalties for violations</b>	N/A
<b>Other statewide provisions of note</b>	N/A
<b>Recently proposed legislation</b>	Yes, see <a href="#">Recently Proposed Legislation</a> .

<b><u>KENTUCKY</u></b>	
<b>Statute(s) and/or regulation(s)</b>	KY. REV. STAT. ANN. §§ 217.2201 through 217.2209 (West 2025)
<b>Relevant substantive amendment(s)</b>	July 15, 2024 - Law effective
<b>Is kratom or its related substances controlled?</b>	No, but in November 2025, the governor and the Cabinet for Health and Family Services began the process to add 7-hydroxymitragynine in concentrations above 400 parts per million to the list of Schedule I controlled substance. As of January 2026, this action has not yet been finalized (2025 Ky. Reg. Text 702469). <sup>20</sup>
<b>Defined term(s)</b>	<ul style="list-style-type: none"> <li>• “Kratom” means any part of the plant <i>Mitragyna speciosa</i>.</li> <li>• “Kratom extract” means any food, food product, or dietary ingredient containing any part of the leaf of the plant <i>Mitragyna speciosa</i> that has been extracted and concentrated in order to provide more standardized dosing.</li> <li>• “Kratom processor” means any person or entity that prepares, manufactures, distributes, or maintains kratom extracts or kratom products or advertises, represents, or claims to sell, prepare, or maintain kratom extracts or kratom products.</li> <li>• “Kratom product” means a food, powder, capsule, pill, or any other product intended for oral consumption that contains any part of the leaf of the plant <i>Mitragyna speciosa</i> or any extract thereof.</li> <li>• “Kratom retailer” means any person or entity that sells or advertises, represents, or claims to sell kratom extracts or kratom products.</li> </ul>

<sup>20</sup> Scottie Ellis, *Gov. Beshear Takes Action to Protect Kentuckians, Moves to Block Access to Addictive Form of Kratom*, KENTUCKY.GOV (Nov. 5, 2025), <https://www.kentucky.gov/Pages/Activity-stream.aspx?n=GovernorBeshear&prId=2625>.

<b><u>KENTUCKY</u></b>	
<b>Limitations on possession, distribution, sale, or manufacture</b>	<ul style="list-style-type: none"><li>• A kratom processor or kratom retailer shall not distribute, dispense, sell, or make available for sale any kratom extract or kratom product to an individual who is under 21 years of age.</li><li>• A kratom processor or kratom retailer shall not prepare, manufacture, distribute, dispense, sell, or make available for sale any kratom extract or kratom product that:<ul style="list-style-type: none"><li>○ Is adulterated with a dangerous non-kratom substance that affects the quality or strength of the kratom extract or kratom product to such a degree that it may injure a consumer;</li><li>○ Contains a poisonous or otherwise harmful non-kratom ingredient, including but not limited to any controlled substance</li><li>○ Contains a level of 7-hydroxymitragynine in the alkaloid fraction that is greater than two percent of the overall alkaloid composition of the product;</li><li>○ Contains any synthetic alkaloid, including synthetic mitragynine, synthetic 7-hydroxymitragynine, or any other synthetically derived compound of the plant <i>Mitragyna speciosa</i>;</li><li>○ Contains levels of residual solvents higher than those permitted under the United States Pharmacopeia Chapter 467; or</li><li>○ Does not meet the labeling requirements established pursuant to § 217.2203 or any administrative regulation promulgated thereunder.</li></ul></li></ul>

<b><u>KENTUCKY</u></b>	
<b>Product label requirements</b>	<p>All kratom extracts and kratom products sold or otherwise distributed in the Commonwealth shall be accompanied by a clear label that provides adequate information for safe and effective use by consumers that includes but is not limited to:</p> <ul style="list-style-type: none"> <li>• A list of the ingredients used in the manufacturing of the kratom extract or kratom product;</li> <li>• The amount of mitragynine and 7-hydroxymitragynine contained in the kratom extract or kratom product;</li> <li>• The recommended serving size of the kratom extract or kratom product;</li> <li>• The number of servings per container of the kratom extract or kratom product;</li> <li>• The name and principle street address of the vendor or individual responsible for distributing the kratom extract or kratom product;</li> <li>• Any precautionary statements as to the safety and effectiveness of the kratom extract or kratom product; and</li> <li>• A disclaimer that the kratom extract or kratom product is not intended to diagnose, treat, cure, or prevent any medical condition or disease.</li> </ul>
<b>Penalties for violations</b>	A kratom processor or kratom retailer who violates § 217.2202 or § 217.2203 or any administrative regulation promulgated thereunder shall be subject to a civil penalty of not more than \$500 for a first offense and not more than \$1,000 for a second or subsequent offense.
<b>Other statewide provisions of note</b>	Enacted House Resolution 88 (Ky. 2025) encourages the Kentucky Department for Public Health, in conjunction with the Kentucky Office of Drug Control Policy, to issue a public statement to increase awareness in the Commonwealth on the potential harm of consuming 7-hydroxymitragynine products.
<b>Recently proposed legislation</b>	Yes, see <a href="#">Recently Proposed Legislation</a> .

<b><u>LOUISIANA</u></b>	
<b>Statute(s) and/or regulation(s)</b>	<ul style="list-style-type: none"> <li>• LA. STAT. ANN. § 14:91.10 (West 2025) (unlawful sale or distribution of “mitragynine speciosa” to persons under age 21)</li> <li>• LA. STAT. ANN. §§ 1300.61 to 1300.63 (West 2025) (local option for mitragynine speciosa)</li> <li>• LA. STAT. ANN. § 40:964 (West 2025) (composition of schedules)</li> <li>• LA. STAT. ANN. § 40:966.1 (West 2025) (unlawful possession, production, or distribution of kratom)</li> <li>• LA. STAT. ANN. § 40:989.2 (West 2025) (prohibited plant products)</li> </ul>
<b>Relevant substantive amendment(s)</b>	<ul style="list-style-type: none"> <li>• August 1, 2023 - LA. STAT. ANN. § 14:91.10 (West 2025) and LA. STAT. ANN. § 1300.61 to 1300.63 (West 2025) effective</li> <li>• August 1, 2025 - § 40:966.1 effective; mitragynine and 7-hydroxymitragynine added to Schedule I; <i>Mitragyna speciosa</i> added to the list of prohibited plants.</li> </ul>
<b>Is kratom or its related substances controlled?</b>	Yes, mitragynine and 7-hydroxymitragynine are Schedule I controlled substances.
<b>Defined term(s)</b>	<ul style="list-style-type: none"> <li>• Under § 14:91.10, “Mitragynine speciosa” is defined as a product containing either or both of the following: (1) mitragynine; or (2) 7-hydroxymitragynine.</li> <li>• Under § 40:966.1, “kratom” means any substance derived from the leaves of the <i>Mitragyna speciosa</i> tree or any substance containing 7-hydroxymitragynine or mitragynine.</li> </ul>
<b>Limitations on possession, distribution, sale, or manufacture</b>	<ul style="list-style-type: none"> <li>• Under § 14:91.10, it is unlawful for any person to sell or distribute or cause to be sold or distributed a product containing “mitragynine speciosa” to any person under the age of 21.</li> <li>• Under § 40:966.1, it is unlawful for any person to knowingly produce, manufacture, distribute, or dispense, or possess with intent to produce, manufacture, distribute, or dispense kratom.</li> <li>• Under § 40:966.1, it is unlawful for any person to knowingly or intentionally possess kratom.</li> </ul>

<b><u>LOUISIANA</u></b>	
<b>Limitations on possession, distribution, sale, or manufacture (continued)</b>	<ul style="list-style-type: none"> <li>• Under § 40:989.2, <i>Mitragyna speciosa</i> is considered a prohibited plant. <ul style="list-style-type: none"> <li>○ It is unlawful for any individual to knowingly or intentionally produce, manufacture, distribute, or possess with intent to produce, manufacture, or distribute a material, compound, mixture, or preparation which contains a prohibited plant and which meets any of the following criteria: (1) it is intended to be placed in the oral or nasal cavity; (2) it is prepared in such a manner as to be suitable for smoking in a pipe or cigarette, or other device; or (3) it is to be burned and inhaled or exhaled in any manner or in any form.</li> <li>○ It is unlawful for any individual to knowingly or intentionally possess material, compound, mixture, or preparation which contains a prohibited plant and which is intended to be placed in the oral or nasal cavity, is prepared in such a manner as to be suitable for smoking in a pipe or cigarette, or is to be burned and inhaled or exhaled in any manner or in any form.</li> </ul> </li> </ul>
<b>Product label requirements</b>	None
<b>Penalties for violations</b>	<ul style="list-style-type: none"> <li>• Violations of § 14:91.10 results in a fine of \$500 or imprisonment for no more than six months, or both.</li> <li>• Individuals who violate § 40:966.1's prohibition on the manufacture and distribution of kratom: <ul style="list-style-type: none"> <li>○ In an amount of an aggregate weight of less than 500 grams, shall be fined not more than \$50,000, imprisoned for not less than one year nor more than three years, or both.</li> <li>○ In an amount of an aggregate weight of 500 grams or more, shall be fined not more than \$50,000, imprisoned for not less than one year nor more than five years, or both.</li> </ul> </li> </ul>

<b><u>LOUISIANA</u></b>	
<b>Penalties for violations (continued)</b>	<ul style="list-style-type: none"> <li>• Individuals who violate § 40:966.1’s prohibition on the possession of kratom shall be punished as follows:           <ul style="list-style-type: none"> <li>○ On a conviction wherein the offender possesses 20 grams or less, the offender shall be fined not more than \$100.</li> <li>○ On a first conviction, wherein the offender possesses more than 20 grams, the offender shall be fined no more than \$500, imprisoned in the parish jail for not more than six months, or both.</li> <li>○ On a second or any subsequent conviction, wherein the offender possesses more than 20 grams, the offender shall be fined not more than \$1,000, imprisoned in the parish jail for not more than six months, or both.</li> </ul> </li> <li>• Individuals who violate § 40:989.2’s prohibition on the manufacture and distribution of prohibited plants shall be sentenced to a term of imprisonment of not more than five years and may be sentenced to pay a fine of not more than \$10,000.</li> <li>• Individuals who violate § 40:989.2’s prohibition on the possession of prohibited plants, shall be fined not more than \$500, imprisoned for not more than six months, or both.</li> </ul>
<b>Other statewide provisions of note</b>	<ul style="list-style-type: none"> <li>• Notwithstanding any other provision of law to the contrary, a local government may enact an ordinance to prohibit the sale or distribution of “mitragynine speciosa” products or to regulate the sale or distribution of “mitragynine speciosa” products in a manner that is more restrictive than provided for in § 14:91.10.</li> <li>• Senate Resolution 96 (La. 2023) urged and requested the Louisiana Department of Health to study the acute and long-term adverse health events related to kratom and to report its findings to the legislature prior to the convening of the 2024 regular session of the Legislature.</li> </ul>
<b>Recently proposed legislation</b>	Yes, see <a href="#">Recently Proposed Legislation</a> .

<b><u>MAINE</u></b>	
<b>Statute(s) and/or regulation(s)</b>	None
<b>Relevant substantive amendment(s)</b>	N/A
<b>Is kratom or its related substances controlled?</b>	N/A
<b>Defined term(s)</b>	N/A
<b>Limitations on possession, distribution, sale, or manufacture</b>	N/A
<b>Product label requirements</b>	N/A
<b>Penalties for violations</b>	N/A
<b>Other statewide provisions of note</b>	N/A
<b>Recently proposed legislation</b>	None

<b><u>MARYLAND</u></b>	
<b>Statute(s) and/or regulation(s)</b>	MD. CODE ANN., HEALTH-GEN. § 21-2E-01 through 04 (West 2025)
<b>Relevant substantive amendment(s)</b>	October 1, 2024 - Law effective
<b>Is kratom or its related substances controlled?</b>	No.
<b>Defined term(s)</b>	<ul style="list-style-type: none"> <li>• “Kratom product” means a product marketed for human consumption containing any part of the leaf of the plant <i>Mitragyna speciosa</i>.</li> <li>• “Retailer” means an individual that (1) sells, prepares, or maintains kratom products; or (2) advertises, represents, or holds itself out as selling, preparing, or maintaining kratom products. “Retailer” includes a manufacturer, wholesaler, store, restaurant, hotel, catering facility, camp, bakery, delicatessen, supermarket, grocery store, convenience store, gas station, or food or drink company.</li> <li>• A kratom product is adulterated with a dangerous substance other than kratom if: (1) the kratom product is mixed or packed with a substance other than kratom; and (2) that substance affects the quality or strength of the kratom product to a degree as to render the kratom product injurious to a consumer.</li> <li>• A kratom product is contaminated with a dangerous substance other than kratom if the kratom product contains a poisonous or otherwise deleterious ingredient other than kratom, including a drug that is designated as a controlled dangerous substance</li> </ul>
<b>Limitations on possession, distribution, sale, or manufacture</b>	<ul style="list-style-type: none"> <li>• A retailer may not prepare, distribute, sell, or expose for sale a kratom product that: (1) does not comply with the disclosure requirement in § 21-2E-02; or (2) has not been recognized as a dietary ingredient or approved drug by the U.S. Food and Drug Administration.</li> <li>• A retailer may not distribute, sell, or expose for sale a kratom product to an individual under the age of 21.</li> </ul>

<b><u>MARYLAND</u></b>	
<b>Limitations on possession, distribution, sale, or manufacture (continued)</b>	<ul style="list-style-type: none"><li>• A retailer may not prepare, distribute, sell, or expose for sale any of the following kratom products:<ul style="list-style-type: none"><li>○ Those that are adulterated with a dangerous substance other than kratom;</li><li>○ Those that are contaminated with a dangerous substance other than kratom;</li><li>○ Those that contain a level of 7-hydroxymitragynine in the alkaloid fraction that is greater than two percent of the alkaloid composition of the product;</li><li>○ Those containing a synthetic alkaloid, including synthetic mitragynine, synthetic 7-hydroxymitragynine, or any other synthetically derived compound of the kratom plant; or</li><li>○ Those that do not include on its package or label the amount of mitragynine and 7-hydroxymitragynine contained in the product.</li></ul></li></ul>
<b>Product label requirements</b>	<ul style="list-style-type: none"><li>• A retailer that prepares, distributes, sells, or exposes for sale a kratom product shall disclose on the product label the factual basis on which the representation is made.</li><li>• A retailer may not use any of the following in the advertising, promotion, packaging, or labeling of a kratom product: (1) a cartoon; (2) a superhero; (3) a video game reference; (4) an image of a food product primarily intended for minors; (5) a trademark that imitates or mimics the trademark of a product that has been advertised or marketed primarily to minors; (6) a symbol or celebrity that is primarily associated with minors or media primarily directed to minors; and (7) an image of an individual who appears to be under the age of 27.</li></ul>

<b><u>MARYLAND</u></b>	
<b>Penalties for violations</b>	<ul style="list-style-type: none"> <li>• A retailer that violates the labeling disclosure provision of § 21-2E-02 is subject to a civil penalty not exceeding \$1,000 for the first violation and \$2,000 for each subsequent violation.</li> <li>• A retailer that violates § 21-2E-02 (a)(2), (b), or (c) is guilty of a misdemeanor and on conviction is subject to a fine not exceeding \$5,000, imprisonment for not more than 90 days, or both.</li> <li>• In addition to any other penalties, a retailer who violates § 21-2E-02 is liable for civil damages sustained by the individual resulting from the violation.</li> <li>• In a prosecution for a violation of § 21-2E-02, it is a defense that the defendant relied in good faith on the representations of a manufacturer, processor, packer, or distributor of a kratom product.</li> </ul>
<b>Other statewide provisions of note</b>	<ul style="list-style-type: none"> <li>• A retailer may not directly or indirectly advertise a therapeutic benefit of kratom.</li> <li>• A retailer may not directly or indirectly advertise or market kratom products to minors.</li> <li>• A retailer may not advertise or promote a kratom product: <ul style="list-style-type: none"> <li>○ In a newspaper, a magazine, a periodical, or any other publication for which individuals under the age of 21 constitute 15 percent or more of the total audience, as measured by competent and reliable survey evidence;</li> <li>○ At a concert, a stadium, a sporting event, or any other public event for which individuals under the age of 21 constitute 15 percent or more of the total audience, as measured by competent and reliable survey evidence; or</li> <li>○ On an outdoor billboard or sign board that is within 500 feet of a school.</li> </ul> </li> </ul>
<b>Recently proposed legislation</b>	None

<b><u>MASSACHUSETTS</u></b>	
<b>Statute(s) and/or regulation(s)</b>	None
<b>Relevant substantive amendment(s)</b>	N/A
<b>Is kratom or its related substances controlled?</b>	N/A
<b>Defined term(s)</b>	N/A
<b>Limitations on possession, distribution, sale, or manufacture</b>	N/A
<b>Product label requirements</b>	N/A
<b>Penalties for violations</b>	N/A
<b>Other statewide provisions of note</b>	N/A
<b>Recently proposed legislation</b>	Yes, see <a href="#">Recently Proposed Legislation</a> .

<b><u>MICHIGAN</u></b>	
<b>Statute(s) and/or regulation(s)</b>	None
<b>Relevant substantive amendment(s)</b>	N/A
<b>Is kratom or its related substances controlled?</b>	N/A
<b>Defined term(s)</b>	N/A
<b>Limitations on possession, distribution, sale, or manufacture</b>	N/A
<b>Product label requirements</b>	N/A
<b>Penalties for violations</b>	N/A
<b>Other statewide provisions of note</b>	N/A
<b>Recently proposed legislation</b>	Yes, see <a href="#">Recently Proposed Legislation</a> .

<u>MINNESOTA</u>	
<b>Statute(s) and/or regulation(s)</b>	MINN. STAT. ANN. § 152.027 (West 2025)
<b>Relevant substantive amendment(s)</b>	August 1, 2018 – Added offenses related to the sale and possession of kratom
<b>Is kratom or its related substances controlled?</b>	No.
<b>Defined term(s)</b>	None
<b>Limitations on possession, distribution, sale, or manufacture</b>	<ul style="list-style-type: none"> <li>• It is unlawful for a person to sell any amount of kratom or a substance that contains mitragynine or 7-hydroxymitragynine to a person under the age of 18; or</li> <li>• It is unlawful for a person under the age of 18 to possess any amount of kratom or a substance that contains mitragynine or 7-hydroxymitragynine.</li> </ul>
<b>Product label requirements</b>	None
<b>Penalties for violations</b>	<ul style="list-style-type: none"> <li>• Selling any amount of kratom or a substance that contains mitragynine or 7-hydroxymitragynine to a person under the age of 18 is a gross misdemeanor.</li> <li>• Unlawfully possessing any amount of kratom or a substance that contains mitragynine or 7-hydroxymitragynine is a misdemeanor if the person is under age 18.</li> </ul>
<b>Other statewide provisions of note</b>	None
<b>Recently proposed legislation</b>	None

<b><u>MISSISSIPPI</u></b>	
<b>Statute(s) and/or regulation(s)</b>	<ul style="list-style-type: none"> <li>• MISS. CODE ANN. §§ 75-103-1 through 75-103-7 (West 2025) (regulation of kratom products)</li> <li>• MISS. CODE ANN. § 27-72-51 (West 2025) (excise tax on kratom products)</li> </ul>
<b>Relevant substantive amendment(s)</b>	July 1, 2025 - §§ 75-103-1 through 75-103-7 and § 27-72-51 effective
<b>Is kratom or its related substances controlled?</b>	No.
<b>Defined term(s)</b>	<ul style="list-style-type: none"> <li>• “Kratom product” means a food or dietary supplement that consists of or contains kratom leaf or kratom leaf extract that does not contain any synthesized kratom alkaloids, other kratom constituents, or synthesized metabolites of any kratom constituent in which the level of 7-hydroxymitragynine, on a percent weight basis, is not greater than one percent of the amount of total kratom alkaloids, as confirmed with a high-performance liquid chromatography testing method and not to exceed one-half milligram per container. For the purposes of this paragraph, “synthesized” refers to substances produced using directed synthetic or biosynthetic chemistry, as opposed to traditional food preparation techniques such as heating or extracting.</li> <li>• “Kratom leaf” means the leaf of the kratom plant (<i>Mitragyna speciosa</i>) in fresh or dehydrated form and subjected to no post-harvest processing other than: (1) drying or size reduction (e.g., by cutting, milling, or similar procedure); and (2) cleaning or sterilization through the application of heat, steam, pressurization, irradiation or other standard treatments applied to food ingredients.</li> <li>• “Kratom leaf extract” means the material extracted from kratom leaves via application of a solvent consisting of water, ethanol or food grade carbon dioxide, or any other solvent allowed by federal or state regulation to be used in the manufacturing of a food ingredient.</li> <li>• “Retailer” means a person that sells or maintains kratom products or that advertises, represents or holds itself out as selling, preparing or maintaining kratom products and includes a store, restaurant, hotel, catering facility, camp, bakery, delicatessen, supermarket, grocery store, convenience store, or food or drink company.</li> </ul>

<b><u>MISSISSIPPI</u></b>	
<b>Defined term(s) (continued)</b>	<ul style="list-style-type: none"> <li>• “Wholesaler,” “jobber,” or “distributor” means a person doing a regularly organized wholesale or jobbing business, known to the trade as such, and selling kratom products to licensed retail dealers or other wholesalers for resale in the regular course of business.</li> <li>• “Manufacturer” means a person that produces, prepares, compounds or processes kratom products. This includes any person packaging, repackaging, labeling or relabeling of kratom products.</li> </ul>
<b>Limitations on possession, distribution, sale, or manufacture</b>	<ul style="list-style-type: none"> <li>• A retailer, manufacturer, and/or wholesaler shall not distribute or sell a kratom product to an individual under 21 years of age.</li> <li>• Every individual engaged in the business of selling kratom products at retail shall notify each individual employed by that individual as a retail sales clerk that state law: (1) prohibits the sale or distribution of kratom products, including samples, to any individual under 21 years of age and the purchase or receipt of kratom products by any person under 21 years of age; and (2) requires that proof of age be demanded from a prospective purchaser or recipient if the individual is not known to the seller, barterer, deliverer or giver of the kratom product to be the age of 21 years or older. Every person employed by a person engaged in the business of selling kratom products at retail shall sign an agreement with his employer in substantially the following or similar form: “I understand that state law prohibits the sale or distribution of kratom products to persons under the age of 21 years, and requires that proof of age be demanded from a prospective purchaser or recipient if the individual is not known to the seller, barterer, deliverer or giver of the kratom product to be the age of 21 years or older. I promise, as a condition of my employment, to observe this law.” No retailer who instructs his or her employees as provided by § 75-103-2 shall be liable for any violations committed by such employees.</li> <li>• Kratom products offered for sale must be placed behind the retailer’s counter.</li> </ul>

<b><u>MISSISSIPPI</u></b>	
<b>Limitations on possession, distribution, sale, or manufacture (continued)</b>	<ul style="list-style-type: none"> <li>• A retailer, wholesaler, jobber, distributor and manufacturer shall not prepare, distribute, or sell any of the following: <ul style="list-style-type: none"> <li>○ A product represented as being a kratom product that does not meet the definition for a kratom product;</li> <li>○ A kratom product containing a level of 7-hydroxymitragynine in the alkaloid fraction that is greater than one percent of the alkaloid composition and not to exceed 0.5 milligram per container of the product;</li> <li>○ A kratom product containing any controlled substance listed in the Uniform Controlled Substances Act, unless the product is compounded by a licensed pharmacist with the controlled substance dispensed in accordance with a valid prescription; or</li> <li>○ Any kratom product that does not meet the labeling requirements.</li> </ul> </li> <li>• A retailer, wholesaler, jobber, distributor or manufacturer shall not sell, distribute or expose for sale a kratom product prior to registering with the Mississippi Department of Revenue.</li> </ul>
<b>Product label requirements</b>	A kratom product label shall clearly set forth the identity, address, and telephone number of the manufacturer, and a full list of the ingredients in the product.
<b>Penalties for violations</b>	<ul style="list-style-type: none"> <li>• Any individual under the age of 21 years who falsely states he or she is 21 years of age or older, or presents any document that indicates he or she is 21 years of age or older, for the purpose of purchasing or otherwise obtaining kratom products shall be guilty of a misdemeanor, and shall be punished by a fine of not less than \$100.00, nor more than \$200.00, and a sentence to not more than 30 days community service.</li> <li>• Any person under the age of 21 years who purchases, receives, or has in his or her possession in any public place, any kratom product, shall be guilty of a misdemeanor and shall be punished by a fine of not less than \$200.00 nor more than \$500.00.</li> <li>• A retailer or agent of a retailer, wholesaler, jobber, distributor and manufacturer that sells, stores, or maintains kratom products, who violates, or permits the violation of, § 75-103-3, upon conviction, shall be punished by a fine of not more than \$1,000.00 per violation.</li> </ul>

<b><u>MISSISSIPPI</u></b>	
<b>Other statewide provisions of note</b>	<ul style="list-style-type: none"><li>• Any municipality or county that enacted a ban and/or restriction of kratom products before July 1, 2025, shall retain the authority to continue enforcing any such ban and/or restriction. Additionally, the state's kratom regulation laws do not preempt, override, or prohibit any future enactment of any ban and/or restriction by municipalities and counties seeking to regulate, restrict, or ban kratom products within their jurisdictions.</li><li>• In addition to any other tax provided for by law, there imposed, levied and assessed, a tax on each individual or dealer in kratom products upon the sale, use, consumption, handling or distribution in the state, an excise tax at the rate of 25 percent of the manufacturer's list price. This tax is levied upon the sale, use, gift, possession or consumption of kratom products within the state, and the impact of the tax levied by this section is hereby declared to be on the vendee, user, consumer or possessor of kratom product in this state; and when said tax is paid by any other individual, such payment shall be considered as an advance payment and shall thereafter be added to the price of the kratom product and recovered from the ultimate consumer or user.</li></ul>
<b>Recently proposed legislation</b>	Yes, see <a href="#">Recently Proposed Legislation</a> .

<b><u>MISSOURI</u></b>	
<b>Statute(s) and/or regulation(s)</b>	None
<b>Relevant substantive amendment(s)</b>	N/A
<b>Is kratom or its related substances controlled?</b>	N/A
<b>Defined term(s)</b>	N/A
<b>Limitations on possession, distribution, sale, or manufacture</b>	N/A
<b>Product label requirements</b>	N/A
<b>Penalties for violations</b>	N/A
<b>Other statewide provisions of note</b>	N/A
<b>Recently proposed legislation</b>	Yes, see <a href="#">Recently Proposed Legislation</a> .

<b><u>MONTANA</u></b>	
<b>Statute(s) and/or regulation(s)</b>	None
<b>Relevant substantive amendment(s)</b>	N/A
<b>Is kratom or its related substances controlled?</b>	N/A
<b>Defined term(s)</b>	N/A
<b>Limitations on possession, distribution, sale, or manufacture</b>	N/A
<b>Product label requirements</b>	N/A
<b>Penalties for violations</b>	N/A
<b>Other statewide provisions of note</b>	N/A
<b>Recently proposed legislation</b>	Yes, see <a href="#">Recently Proposed Legislation</a> .

<b><u>NEBRASKA</u></b>	
<b>Statute(s) and/or regulation(s)</b>	NEB. REV. STAT. ANN. §§ 71-3801 through 3815 (West 2025) (Kratom Consumer Protection Act)
<b>Relevant substantive amendment(s)</b>	July 1, 2025 - §§ 71-3801 through 3815 effective
<b>Is kratom or its related substances controlled?</b>	No.
<b>Defined term(s)</b>	<ul style="list-style-type: none"> <li>• “Attractive to children” means products: (1) manufactured in the shape of humans, cartoons, or animals; or (2) manufactured in a form that bears any reasonable resemblance to an existing candy product that is familiar to the public as a widely distributed or a branded food product such that a product could be mistaken for the branded food product, especially by children.</li> <li>• “Kratom” means the plant <i>Mitragyna speciosa</i> or any part of that plant, including, but not limited to, all components present in the natural plant.</li> <li>• “Kratom extract” means the material obtained by extraction of kratom leaves with a solvent consisting of water, ethanol, or food-grade carbon dioxide, or any other solvent allowed by federal or state regulation to be used in manufacturing a food ingredient.</li> <li>• “Kratom product” means a food, ingredient, or dietary supplement that: (1) consists of or contains kratom or kratom extract; or (2) does not contain any synthesized kratom alkaloids, other synthesized kratom constituents, or synthesized metabolites of any kratom constituent; and (3) does not include any kratom product in any form that is combustible, is intended to be used for vaporization, or is injectable;</li> <li>• “Processor” means an individual that manufactures, packages, labels, or distributes kratom products or advertises, represents, or holds itself out as manufacturing, preparing, packaging, labeling, or distributing kratom products.</li> <li>• “Retailer” means any seller.</li> <li>• “Synthesized” means an alkaloid or alkaloid derivative that has been created, in full or in part, by directed chemical, physical, or biosynthetic conversion, including, but not limited to, fermentation, recombinant techniques, yeast-derived, or enzymatic techniques, rather than traditional food preparation techniques, such as heating or extracting.</li> </ul>

<b><u>NEBRASKA</u></b>	
<b>Limitations on possession, distribution, sale, or manufacture</b>	<ul style="list-style-type: none"><li>• No individual shall sell, offer for sale, provide, or distribute a kratom product to an individual under 21 years of age.</li><li>• An online retailer or marketplace that sells or offers a kratom product for sale shall implement an age-verification system to ensure that it does not sell its kratom products to individuals under the age of 21.</li><li>• No individual shall produce, manufacture, distribute, offer for sale, sell, or introduce into commerce a kratom product in the state if the product is manufactured in a manner that is attractive to children.</li><li>• A kratom product sold, offered for sale, or introduced into commerce into the state shall: (1) be manufactured, packaged, labeled, or held in a facility that meets the requirements of 21 C.F.R. part 111, as such regulations existed on January 1, 2025; and (2) be manufactured, processed, packed, or held by a processor who has registered with the federal Food and Drug Administration as a food facility.</li><li>• The Department of Revenue (Department) shall establish, operate, and administer a program to register kratom products. No processor may manufacture, package, label, or distribute a kratom product to be offered for sale in the state unless the product has been registered with the Department.</li><li>• No individual shall sell, offer for sale, provide, or distribute an adulterated kratom product in the state. A product shall be deemed adulterated if: (1) it contains any kratom alkaloid or metabolite, including 7-hydroxymitragynine, and does not meet the definition of a kratom product; or (2) The kratom product is combined with a dangerous non-kratom substance that contains a poisonous or otherwise deleterious non-kratom ingredient, including, but not limited to, any substance listed as a controlled substance under the laws of this state or federal law.</li></ul>

<b><u>NEBRASKA</u></b>	
<b>Product label requirements</b>	<p>A kratom product sold, offered for sale, or introduced into commerce in the state shall have a label on each retail package that clearly and conspicuously provides the following information:</p> <ul style="list-style-type: none"><li>• The product is not recommended for use by individuals who are under 21 years of age, who are pregnant, or who are breastfeeding;</li><li>• A healthcare practitioner should be consulted prior to using the product;</li><li>• The product may be habit-forming;</li><li>• The following statements: “These statements have not been evaluated by the Food and Drug Administration. This product is not intended to diagnose, treat, cure, or prevent any disease;</li><li>• The name and place of business of the processor;</li><li>• Directions for use that include a recommended amount of the kratom product per serving that is: (1) clearly described on the label for product forms such as capsules, gummies, prepackaged, single-serving units, and similar product forms; or (2) a clear instruction or mark on the package or container for beverages or liquids;</li><li>• A recommended number of servings that can be safely consumed in a 24-hour period;</li><li>• A listing of the servings per container; and</li><li>• A listing of kratom alkaloids mitragynine and 7-hydroxymitragynine and other ingredients in the product, including quantitative declarations of the amount per serving of mitragynine.</li></ul>

<b><u>NEBRASKA</u></b>	
<b>Penalties for violations</b>	<p>Any processor or retailer that violates any section of the Kratom Consumer Protection Act, including those related to the application or registration, or any of the rules and regulations adopted and promulgated by the department that apply to processors or kratom products shall be subject to penalties.</p> <ul style="list-style-type: none"><li>• For the first violation, the Department shall impose a civil penalty of up to \$1,000. For the second violation, the department shall impose a civil penalty of up to \$5,000. For a third violation and any subsequent violations, the department shall impose a civil penalty of at least \$5,000 and no more than \$20,000 and, if the violator is a processor, the department shall prohibit the sale of any kratom products of such processor within the state for a period of three years.</li><li>• For any processor or retailer that has no violation for a period of four consecutive years, a new violation shall be treated as a first violation.</li><li>• No determination that a violation has occurred shall be made until notice has been given and a hearing has been held by the Tax Commissioner if requested by the processor or retailer.</li><li>• A retailer shall not be found to be in violation of the Kratom Consumer Protection Act if it is shown by a preponderance of the evidence that the retailer relied in good faith upon the representation of a processor that a product is not an adulterated kratom product.</li><li>• If a registered processor has been convicted by any court of a violation of the Kratom Consumer Protection Act, the processor may, in addition to the penalties for such offense, incur a forfeiture of the certificate of registration for its kratom products and all money that had been paid for such certificate of registration.</li><li>• If any materially false statement is made in any part of an application submitted under § 71-3807, the applicant shall be subject to prosecution for perjury and if convicted may, in addition to the penalties for such offense, incur a forfeiture of any certificate of registration that was issued for the applicant's kratom products and all money that had been paid for such certificate of registration.</li></ul>

<b><u>NEBRASKA</u></b>	
<b>Other statewide provisions of note</b>	<ul style="list-style-type: none"> <li>• Applications for product registration shall be submitted on a form prescribed by the Department. Each application shall include: <ul style="list-style-type: none"> <li>○ The name, address, and state of organization for the processor of the product;</li> <li>○ A principal point of contact for the processor and contract information for the point of contact;</li> <li>○ The name of the product;</li> <li>○ The product label;</li> <li>○ A certificate of analysis for the kratom product that states the kratom product's alkaloid content and certifies that the kratom product has a level of 7-hydroxymitragynine that is less than two percent of the alkaloid composition of the kratom product from an independent laboratory;</li> <li>○ A valid good manufacturing practice certificate issued by an accredited third-party certification body in compliance with 21 C.F.R. part 111; and</li> <li>○ A current food facility registration certificate issued by the federal Food and Drug Administration for all facilities where kratom products are manufactured, prepared, packaged, or labeled;</li> </ul> </li> <li>• The department shall make public a list of all registered kratom products on its website.</li> <li>• The Attorney General shall have authority to enforce the Kratom Consumer Protection Act pursuant to the Consumer Protection Act and the Uniform Deceptive Trade Practices Act. There is no private right of action under the Kratom Consumer Protection Act even though such action is authorized under the Consumer Protection Act and the Uniform Deceptive Trade Practices Act.</li> <li>• No political subdivision shall impose additional restrictions on the manufacturing, packaging, labeling, distribution, or sale of kratom products greater than or in addition to those enumerated in the Kratom Consumer Protection Act.</li> </ul>
<b>Recently proposed legislation</b>	Yes, see <a href="#">Recently Proposed Legislation</a> .

<b><u>NEVADA</u></b>	
<b>Statute(s) and/or regulation(s)</b>	NEV. REV. STAT. ANN. § 597.998 (West 2025)
<b>Relevant substantive amendment(s)</b>	October 1, 2019 - Law effective
<b>Is kratom or its related substances controlled?</b>	No.
<b>Defined term(s)</b>	“Kratom product” means any product or ingredient containing: (1) any part of the leaf of the <i>Mitragyna speciosa</i> plant if the plant contains the alkaloid mitragynine or 7-hydroxymitragynine; or (2) a synthetic material that contains the alkaloid mitragynine or 7-hydroxymitragynine, regardless of whether the product or ingredient is labeled or sold for human consumption.
<b>Limitations on possession, distribution, sale, or manufacture</b>	<ul style="list-style-type: none"> <li>• A person may not knowingly sell or offer to sell any material, compound, mixture, or preparation containing a kratom product to a child under the age of 18 years.</li> <li>• A person may not knowingly prepare, distribute, advertise, sell, or offer to sell a kratom product that is adulterated with a substance that affects the quality or strength of the kratom product to such a degree as to render the kratom product injurious to a consumer.</li> </ul>
<b>Product label requirements</b>	A person may not sell a kratom product that does not have a label that clearly sets forth the ingredients and directions for the safe and effective use of the kratom product.
<b>Penalties for violations</b>	Civil penalty of no more than \$1,000 for each violation
<b>Other statewide provisions of note</b>	None
<b>Recently proposed legislation</b>	Yes, see <a href="#">Recently Proposed Legislation</a> .

<b><u>NEW HAMPSHIRE</u></b>	
<b>Statute(s) and/or regulation(s)</b>	None
<b>Relevant substantive amendment(s)</b>	N/A
<b>Is kratom or its related substances controlled?</b>	N/A
<b>Defined term(s)</b>	N/A
<b>Limitations on possession, distribution, sale, or manufacture</b>	N/A
<b>Product label requirements</b>	N/A
<b>Penalties for violations</b>	N/A
<b>Other statewide provisions of note</b>	N/A
<b>Recently proposed legislation</b>	Yes, see <a href="#">Recently Proposed Legislation</a> .

<b><u>NEW JERSEY</u></b>	
<b>Statute(s) and/or regulation(s)</b>	None
<b>Relevant substantive amendment(s)</b>	N/A
<b>Is kratom or its related substances controlled?</b>	N/A
<b>Defined term(s)</b>	N/A
<b>Limitations on possession, distribution, sale, or manufacture</b>	N/A
<b>Product label requirements</b>	N/A
<b>Penalties for violations</b>	N/A
<b>Other statewide provisions of note</b>	N/A
<b>Recently proposed legislation</b>	None

<b><u>NEW MEXICO</u></b>	
<b>Statute(s) and/or regulation(s)</b>	None
<b>Relevant substantive amendment(s)</b>	N/A
<b>Is kratom or its related substances controlled?</b>	N/A
<b>Defined term(s)</b>	N/A
<b>Limitations on possession, distribution, sale, or manufacture</b>	N/A
<b>Product label requirements</b>	N/A
<b>Penalties for violations</b>	N/A
<b>Other statewide provisions of note</b>	N/A
<b>Recently proposed legislation</b>	None

<b><u>NEW YORK</u></b>	
<b>Statute(s) and/or regulation(s)</b>	<ul style="list-style-type: none"> <li>• N.Y. PUB. HEALTH LAW § 1399-mmm (McKinney 2025) (kratom sales age restriction)</li> <li>• N.Y. GEN. BUS. LAW § 398-g (McKinney 2025) (kratom package labeling)</li> </ul>
<b>Relevant substantive amendment(s)</b>	<ul style="list-style-type: none"> <li>• December 19, 2025- N.Y. PUB. HEALTH LAW § 1399-mmm effective</li> <li>• December 19, 2026- N.Y. GEN. BUS. LAW § 398-g effective</li> </ul>
<b>Is kratom or its related substances controlled?</b>	No.
<b>Defined term(s)</b>	<ul style="list-style-type: none"> <li>• “Kratom” as defined by N.Y. GEN. BUS. LAW § 398-g means both <i>Mitragyna speciosa</i>, a tree native to Southeast Asia, and the products derived from its leaves that are marketed as herbal supplements.</li> <li>• “Kratom” as defined by N.Y. PUB. HEALTH LAW § 1399-aa means any part of the plant <i>Mitragyna speciosa</i>, whether growing or not, and any compound, manufacture, salt, derivative, mixture, or preparation of such plant.</li> <li>• “All natural” means a product that contains no artificial ingredients or added colors and is minimally processed.</li> </ul>
<b>Limitations on possession, distribution, sale, or manufacture</b>	<ul style="list-style-type: none"> <li>• No individual shall knowingly sell or provide kratom to any other individual under 21 years of age.</li> <li>• Any individual operating a place of business wherein kratom is sold or offered for sale is prohibited from selling such kratom to individuals under 21 years of age and shall post in a conspicuous place a sign upon which there shall be imprinted the following statement: “SALE OF KRATOM TO PERSONS UNDER 21 YEARS OF AGE IS PROHIBITED BY LAW.” Such sign shall be printed on a white card in red letters at least one-half inch in height.</li> </ul>

<b><u>NEW YORK</u></b>	
<b>Product label requirements</b>	<ul style="list-style-type: none"> <li>On each package of any kratom product sold or delivered by a manufacturer within the state there shall be printed thereon or attached thereto a warning of such product's lack of federal Food and Drug Administration approval and such kratom product's known side effects. Such warning shall be in a font not less than 12-point type and in a color in contrast with the package containing such kratom product, and shall contain the following statement: "WARNING, this product has not been approved by the FDA. Side effects may include nausea, agitation, hallucinations, difficulty breathing, liver damage, and death."</li> <li>No kratom product shall be advertised as nor shall the packaging of such kratom product suggest, state, or imply that such kratom product is all natural.</li> </ul>
<b>Penalties for violations</b>	<ul style="list-style-type: none"> <li>Any individual who violates N.Y. PUB. HEALTH LAW § 1399-mm shall be subject to a civil penalty of not more than \$500.</li> <li>Any manufacturer that violates N.Y. GEN. BUS. LAW § 398-g shall be subject to a civil penalty of not more than \$500 for a first violation and not more than \$1,000 for a second or subsequent violation.</li> </ul>
<b>Other statewide provisions of note</b>	None
<b>Recently proposed legislation</b>	Yes, see <a href="#">Recently Proposed Legislation</a> .

<b><u>NORTH CAROLINA</u></b>	
<b>Statute(s) and/or regulation(s)</b>	None
<b>Relevant substantive amendment(s)</b>	N/A
<b>Is kratom or its related substances controlled?</b>	N/A
<b>Defined term(s)</b>	N/A
<b>Limitations on possession, distribution, sale, or manufacture</b>	N/A
<b>Product label requirements</b>	N/A
<b>Penalties for violations</b>	N/A
<b>Other statewide provisions of note</b>	N/A
<b>Recently proposed legislation</b>	Yes, see <a href="#">Recently Proposed Legislation</a> .

<b><u>NORTH DAKOTA</u></b>	
<b>Statute(s) and/or regulation(s)</b>	None
<b>Relevant substantive amendment(s)</b>	N/A
<b>Is kratom or its related substances controlled?</b>	N/A
<b>Defined term(s)</b>	N/A
<b>Limitations on possession, distribution, sale, or manufacture</b>	N/A
<b>Product label requirements</b>	N/A
<b>Penalties for violations</b>	N/A
<b>Other statewide provisions of note</b>	In April 2025, the legislature enacted H.B. 1566 which requires a legislative management study on the potential uses of kratom and the implementation of kratom regulations in the state.
<b>Recently proposed legislation</b>	Yes, see <a href="#">Recently Proposed Legislation</a> .

<b><u>OHIO</u></b>	
<b>Statute(s) and/or regulation(s)</b>	OHIO ADMIN CODE 4729:9-1-01.1 (West 2025) (emergency scheduling of mitragynine-related compounds)
<b>Relevant substantive amendment(s)</b>	December 12, 2025 - § 4729:9-1-01.1 enacted through emergency rule by Pharmacy Board. Emergency rules are effective for 180 days unless readopted.
<b>Is kratom or its related substances controlled?</b>	Yes, mitragynine-related compounds, whether synthetic or naturally occurring substances contained in the plant, or in the resinous extractives of <i>Mitragyna speciosa</i> (also known as kratom) and/or synthetic substances, derivatives, prodrugs, isomers, esters, ethers, salts and salts of isomers, esters and ethers with similar chemical structure are classified as Schedule I controlled substances. Mitragynine-related compounds include, but are not limited to, the following: 7-hydroxymitragynine; mitragynine pseudoindoxyl; dihydro-7-hydroxy mitragynine; and 7-acetoxymitragynine. Mitragynine-related compounds do not include mitragynine.
<b>Defined term(s)</b>	None
<b>Limitations on possession, distribution, sale, or manufacture</b>	The limitations placed by Ohio law on Schedule I controlled substances. Products composed solely of mitragynine are still legal.
<b>Product label requirements</b>	None
<b>Penalties for violations</b>	The penalties placed by Ohio law on Schedule I controlled substances.
<b>Other statewide provisions of note</b>	None
<b>Recently proposed legislation</b>	Yes, see <a href="#">Recently Proposed Legislation</a> .

<b><u>OKLAHOMA</u></b>	
<b>Statute(s) and/or regulation(s)</b>	OKLA. STAT. ANN. tit. 63 §§ 1-1432.1 to 1-1432.5 (West 2025) (Kratom Consumer Protection Act)
<b>Relevant substantive amendment(s)</b>	<ul style="list-style-type: none"> <li>• November 1, 2021 - Law effective</li> <li>• November 1, 2024 - New definitions added to § 1-1432.2 and amended some of the labeling requirements and prohibited products addressed in § 1-1432.4</li> <li>• November 1, 2025 – Definition of “independent testing laboratory added to § 1-1432.2; definition of “kratom leaf extract” modified</li> </ul>
<b>Is kratom or its related substances controlled?</b>	No.
<b>Defined term(s)</b>	<ul style="list-style-type: none"> <li>• “Food” means a food, food product, food ingredient, dietary ingredient, dietary supplement, or beverage for human consumption.</li> <li>• “Independent testing laboratory” means a laboratory that: (1) does not have a direct or indirect interest in the entity whose product is being tested; (2) does not have a direct or indirect interest in a facility that processes, distributes, dispenses, or sells kratom products in the state or in another jurisdiction, and (3) is nationally accredited by an accrediting body.</li> <li>• “Kratom leaf” means the leaf of the kratom plant, <i>Mitragyna speciosa</i>, in fresh or dehydrated or dried form that undergoes no post-harvest processing other than drying or size reduction by cutting, milling, or similar procedure, and may be cleaned or sterilized using standard treatments applied to food ingredients, such as heat, steam, pressurization, or irradiation or other standard treatments applied to food ingredients. The total alkaloid content of kratom leaf material used in the kratom product shall not exceed 3.5 percent measured on a dried weight-to-weight basis.</li> <li>• “Kratom leaf extract” means the material obtained by extracting kratom using a solvent consisting of: (1) water, ethanol, or food-grade carbon dioxide, or (2) any other solvent allowed by federal or state regulation for use in manufacturing a food ingredient. The extracted material shall contain mitragynine as the most abundant alkaloid, measured on a weight-to-weight basis.</li> </ul>

<b><u>OKLAHOMA</u></b>	
<b>Defined term(s) (continued)</b>	<ul style="list-style-type: none"> <li>• “Kratom product” means a food or dietary supplement that consists of or contains kratom leaf or kratom leaf extract that does not contain any synthesized kratom alkaloids, other synthesized kratom constituents, or synthesized metabolites of any kratom constituent in which the level of 7-hydroxymitragynine, on a percent weight basis, is not greater than one percent of the amount of total kratom alkaloids, as confirmed with a high-performance liquid chromatography testing method.</li> <li>• “Total kratom alkaloids” means the sum of mitragynine, speciociliatine, speciogynine, paynantheine, and 7-hydroxymitragynine.</li> <li>• “Vendor” means a person or entity that sells, prepares, or maintains kratom products or that advertises, represents, or holds itself out as selling, preparing or maintaining kratom products and includes a manufacturer, wholesaler, store, restaurant, hotel, catering facility, camp, bakery, delicatessen, supermarket, grocery store, convenience store, nursing home, or food or drink company.</li> </ul>
<b>Limitations on possession, distribution, sale, or manufacture</b>	<ul style="list-style-type: none"> <li>• A vendor shall not prepare, distribute, sell, or expose for sale kratom products: <ul style="list-style-type: none"> <li>○ Those that do not meet the definition for a kratom product pursuant to § 1-1432.2;</li> <li>○ Contaminated with a dangerous non-kratom substance;</li> <li>○ Containing a level of 7-hydroxymitragynine in the alkaloid fraction that is greater than one percent of the alkaloid composition of the product;</li> <li>○ Containing any synthesized alkaloid including synthesized mitragynine, synthetic 7-hydroxymitragynine or any other synthesized compounds of the kratom plant;</li> <li>○ Containing any controlled substance listed in the Uniform Controlled Dangerous Substances Act, unless the product is compounded by a licensed pharmacist with the controlled substance dispensed in accordance with a valid prescription; or</li> <li>○ Containing a level of any residual solvent that was used in the manufacturing of the extract that exceeds the residual level specified for pharmaceutical products in the document “Q3C--Tables and List, Guidance for Industry, June 2017 ICH Revision 3” issued by the United States Department of Health and Human Services, Food and Drug Administration.</li> </ul> </li> </ul>

<b><u>OKLAHOMA</u></b>	
<b>Limitations on possession, distribution, sale, or manufacture (continued)</b>	<ul style="list-style-type: none"> <li>• A vendor may not distribute, sell or expose for sale a kratom product to an individual under 18 years of age.</li> </ul>
<b>Product label requirements</b>	<ul style="list-style-type: none"> <li>• Vendors that prepare, distribute, sell, or expose for sale a food or product that contains kratom as an ingredient or that is represented to be a kratom product shall disclose on the product label, website, or a quick response (QR) code on the product label linked to a website, the factual basis on which that representation is made.</li> <li>• Vendors may not prepare, distribute, sell, or expose for sale a food or ingredient that contains kratom as an ingredient or that is represented to be a kratom product that does not conform to the disclosure required.</li> <li>• Kratom products must be accompanied by a label bearing the following information: <ul style="list-style-type: none"> <li>○ A list of the ingredients, which shall include the common or usual name of each ingredient used in the manufacture of the product, listed in descending order of predominance;</li> <li>○ That the sale or transfer of kratom to a person under 18 years of age is prohibited;</li> <li>○ The amount of total kratom alkaloids, mitragynine, and 7-hydroxymitragynine contained in the product;</li> <li>○ The amount of total kratom alkaloids, mitragynine, and 7-hydroxymitragynine contained in packaging for the product;</li> <li>○ The name and the principal street address of the vendor or the person responsible for distributing the product;</li> <li>○ Any federal food allergen labeling requirements, if applicable, and clear and adequate directions for the consumption and safe and effective use of such product, including the recommended serving size, the number of servings in the container, and the number of servings that can be safely consumed in a day. Provided, liquid kratom products shall be packaged in a retail container that has clear serving size markings and be subject to the following requirements: (1) products of less than eight fluid ounces which contain more than three servings shall be accompanied by a calibrated measuring devices, and (2) if such product contains more than the eight fluid ounces, the requirement for a calibrated measuring device does not apply;</li> </ul> </li> </ul>

<b><u>OKLAHOMA</u></b>	
<b>Product label requirements (continued)</b>	<ul style="list-style-type: none"> <li>○ Any precautionary statements as to the safety and effectiveness of the product, including a warning that a consumer should consult a healthcare professional on questions about the use of kratom and that the product may be habit-forming.</li> <li>○ A statement that states, “These statements have not been evaluated by the U.S. Food and Drug Administration. This product is not intended to diagnose, treat, cure, or prevent any disease.”</li> </ul>
<b>Penalties for violations</b>	<ul style="list-style-type: none"> <li>• The owner or manager of a vendor who violates any of the provisions of OKLA. STAT. ANN. tit. 63 § 1-1432.3 (product disclosure by vendor) or OKLA. STAT. ANN. tit. 63 § 1-1432.4 (prohibited products; labeling requirements; distribution to minors) faces an administrative penalty of up to \$500 for a first offense and \$1,000 for a second offense. Upon a third offense, the vendor cannot sell kratom products for a period of three years. If the state Department of Health (department) receives a complaint about kratom product sales during the period of suspension, the department shall forward the information to the applicable district attorney's office. If the owner or manager of a vendor commits such violation during the three-year period, the person faces a misdemeanor punishable by imprisonment in a county jail for a term of not more than one year, or by a fine of not more than \$2,000, or both.</li> <li>• A person aggrieved by a violation of § 1-1432.3 or § 1-1432.4 may bring a cause of action for damages resulting from that violation including, but not limited to, economic, non-economic, or consequential damages.</li> <li>• A vendor does not violate § 1-1432.3 or § 1-1432.4 if the court finds by a preponderance of the evidence that the vendor relied in good faith on the representation of a manufacturer, processor, packager, or distributor that the food product or dietary ingredient was a kratom product.</li> </ul>
<b>Other statewide provisions of note</b>	Upon request by the Department of Health, the vendor shall provide test results from a United States-based testing facility, that is an independent testing laboratory, to confirm the items listed on the product label.
<b>Recently proposed legislation</b>	Yes, see <a href="#">Recently Proposed Legislation</a> .

<b><u>OREGON</u></b>	
<b>Statute(s) and/or regulation(s)</b>	OR. REV. STAT. ANN. §§ 475.394 through 475.404 (West 2025) (Kratom Consumer Protection Act)
<b>Relevant substantive amendment(s)</b>	July 1, 2023 - Law effective
<b>Is kratom or its related substances controlled?</b>	No.
<b>Definitions</b>	<ul style="list-style-type: none"> <li>• “Kratom product” means a food, food product, food ingredient, dietary ingredient, dietary supplement, or beverage for human consumption containing any part of the leaf of the plant <i>Mitragyna speciosa</i>.</li> <li>• “Processor” means a person that sells, distributes, or exposes for sale kratom products on a wholesale basis to a retailer.</li> <li>• “Retailer” means a person that sells, distributes, or exposes for sale kratom products to individuals for personal consumption.</li> </ul>
<b>Limitations placed on manufacture, distribution, sale, or possession</b>	<ul style="list-style-type: none"> <li>• A processor may not sell, distribute, or expose for sale a kratom product prior to registering with the Oregon Department of Revenue (Department).</li> <li>• A retailer may not sell, distribute, or expose for sale a kratom product to an individual under 21 years of age.</li> </ul>
<b>Product label requirements</b>	None
<b>Penalties for violations</b>	<ul style="list-style-type: none"> <li>• A processor who violates the registration requirement is subject to a civil penalty of not more than \$500 for the first offense and not more than \$1,000 for a second or subsequent offense.</li> <li>• A retailer who sells, distributes, or exposes for sale a kratom product to an individual under 21 years of age is guilty of a Class C misdemeanor for each violation.</li> </ul>
<b>Other statewide provisions of note</b>	The Department must adopt rules necessary to carry out the Oregon Kratom Consumer Protection Act (Act), including rules establishing: (1) procedures for a processor to register annually with the Department, including a requirement that a processor certify that all of the kratom products the processor will sell, distribute, or expose for sale are third-party tested to satisfy industry standards for adulteration; (2) a reasonable registration fee to be paid to the Department to support the administration and enforcement of the Act; and (3) any other requirements the Department deems appropriate.
<b>Recently proposed legislation</b>	None

<b><u>PENNSYLVANIA</u></b>	
<b>Statute(s) and/or regulation(s)</b>	None
<b>Relevant substantive amendment(s)</b>	N/A
<b>Is kratom or its related substances controlled?</b>	N/A
<b>Defined term(s)</b>	N/A
<b>Limitations on possession, distribution, sale, or manufacture</b>	N/A
<b>Product label requirements</b>	N/A
<b>Penalties for violations</b>	N/A
<b>Other statewide provisions of note</b>	N/A
<b>Recently proposed legislation</b>	Yes, see <a href="#">Recently Proposed Legislation</a> .

<b><u>RHODE ISLAND</u></b>	
<b>Statute(s) and/or regulation(s)</b>	<ul style="list-style-type: none"> <li>• 21 R.I. GEN. LAWS ANN. §§ 21-28.12-1 through 21-28.12-12 (West 2025) (Rhode Island Kratom Act)</li> <li>• 44 R.I. GEN. LAWS ANN. §§ 44-23.3-1 through 44-20.3-15 (West 2025) (Kratom and Kratom Products Tax)</li> <li>• 11 R.I. GEN. LAWS ANN. §§ 11-9-13.21 through 11-9-13.24 (West 2025) (additional prohibitions on kratom)</li> <li>• 11 R.I. GEN. LAWS ANN. §§ 11-9-13.21 (West 2025) (training of employees)</li> <li>• 21 R.I. GEN. LAWS ANN. § 21-28-2.03 (West 2025) (Schedule I tests)</li> </ul>
<b>Relevant substantive amendment(s)</b>	April 1, 2026 - all kratom related laws effective
<b>Is kratom or its related substances controlled?</b>	No. Prior to the enactment of the Rhode Island Kratom Act, mitragynine and 7-hydroxymitragynine were Schedule I controlled substances. <sup>21</sup> As of April 1, 2026, § 21-28-2.03 provides that the Director of Health shall have no authority to place or maintain mitragynine and 7-hydroxymitragynine in Schedule I.
<b>Defined term(s)</b>	<ul style="list-style-type: none"> <li>• “Contraband kratom products” means any kratom product that is prohibited by § 21-28.12-3.</li> <li>• “Distributor” means any individual whether located within or outside of the state, other than a retailer, who sells or distributes kratom products within or into this state and (1) engaged in the state in the business of manufacturing kratom products or any individual engaged in the business of selling kratom or kratom products to dealers, or to other individuals, for the purpose of resale only; provided that, 75 percent of all kratom and kratom products sold by that individual in the state are sold to retailers or other individuals for resale and selling kratom and kratom products directly to at least 20 dealers or other individuals for resale; or (2) maintaining one or more regular places of business in the state for that purpose; provided that, 75 percent of the sold kratom and kratom products are purchased directly from the manufacturer and selling kratom and kratom products directly to at least 20 retailers or other persons for resale.</li> <li>• “Kratom” means any part of the leaf of the plant <i>Mitragyna speciosa</i>.</li> </ul>

<sup>21</sup> Rhode Island Dept. of Health, Notice of Designation of Controlled Substance (May 31, 2017), [https://docs.wixstatic.com/ugd/9ba5da\\_9836aee2b9f04a30b55fe480fe3c6ff4.pdf](https://docs.wixstatic.com/ugd/9ba5da_9836aee2b9f04a30b55fe480fe3c6ff4.pdf).

<b><u>RHODE ISLAND</u></b>	
<b>Defined term(s) (continued)</b>	<ul style="list-style-type: none"><li>• “Kratom product” means a product containing any part or extract of the leaf of the plant <i>Mitragyna speciosa</i> or an extract thereof including concentrated forms of kratom and products composed of kratom and other ingredients.</li><li>• “Kratom extract” means a substance or compound obtained by extraction of the <i>Mitragyna speciosa</i> leaf, intended for ingestion, containing only naturally occurring constituents of the kratom plant, Generally Recognized As Safe (GRAS) substances, approved constituent articles, and does not contain any controlled substances.</li><li>• “Synthesized material” means: (1) an alkaloid or alkaloid derivative that has been created by chemical synthesis or biosynthetic means (including, but not limited to, fermentation, recombinant techniques, yeast derived, enzymatic techniques), rather than traditional food preparation techniques, such as heating or extracting that synthetically alters the composition of any kratom alkaloid or constituent; or (2) an alkaloid or alkaloid derivative contained in kratom that has been exposed to chemicals or processes that would confer a structural change in the alkaloids, resulting in material that has been chemically altered.</li><li>• “Manufacturer” means any individual who manufactures, fabricates, assembles, processes, or labels a kratom product.</li><li>• “Place of business” means any location where kratom or kratom products are sold, stored, or kept including, but not limited to any storage room, attic, basement, garage or other facility immediately adjacent to the location. It also includes any receptacle, hide, vessel, vehicle, airplane, or train.</li><li>• “Retailer” means any individual, whether located within or outside the state, who sells or distributes kratom or kratom products to a consumer in this state.</li><li>• “Sale” or “sell” means gifts, exchanges, and/or barter of kratom products. The act of holding, storing, or keeping kratom products at a place of business or with a person for any purpose shall be presumed to be holding the kratom products for sale.</li></ul>

<b><u>RHODE ISLAND</u></b>	
<b>Limitations on possession, distribution, sale, or manufacture</b>	<ul style="list-style-type: none"><li>• An individual shall not prepare, distribute, sell, possess, or advertise kratom products or kratom extracts that:<ul style="list-style-type: none"><li>○ Are a conventional food or beverage or labeled as a conventional food or beverage product;</li><li>○ Contains any substance that is poisonous, harmful, or injurious to health;</li><li>○ Contains a substance other than a non-psychoactive substance necessary for the preparation, processing, or manufacturing of said product;</li><li>○ Contains levels of residual solvents higher than is allowed in the U.S. Pharmacopeia 467;</li><li>○ Contains any synthetic alkaloids including synthetic mitragynine, synthetic 7-hydroxymitragynine, or any other synthetically derived compounds of the kratom plant;</li><li>○ Contains a heavy metal that exceeds any of the following limits in parts per million: (1) arsenic &lt;2; (2) cadmium &lt;0.82; (3) lead &lt;1.2; and (4) Mercury &lt;0.4;</li><li>○ In any form that is combustible or intended to be used for vaporization, aerosolization, injection;</li><li>○ In any form mimics a candy product or is manufactured, packaged, or advertised in a way that can be reasonably considered to appeal to individual under the age of 21;</li><li>○ Are not contained in child-resistant packaging that meets the standards set forth in 16 C.F.R. § 1700.15(b) when tested in accordance with 16 C.F.R. § 1700.20;</li><li>○ Contains a concentration ratio that is: (1) greater than 150 mg of mitragynine per serving; (2) greater than 0.5 mg 7-hydroxymitragynine per gram; or (3) greater than 1 mg 7-hydroxymitragynine per serving; or</li><li>○ Contains more than one percent of 7-hydroxymitragynine by percentage of total kratom alkaloids.</li></ul></li><li>• Kratom and kratom products sold at retail must be sold by a licensed retailer and must be obtained from a licensed manufacturer, importer, or distributor</li><li>• No individual or entity shall distribute, sell, transfer, or advertise a kratom product to an individual under 21 years of age.</li></ul>

<b><u>RHODE ISLAND</u></b>	
<b>Limitations on possession, distribution, sale, or manufacture (continued)</b>	<ul style="list-style-type: none"><li>• All kratom products shall be kept behind the sales counter only accessible to store employees.</li><li>• No distributor shall sell, and no other individual shall sell, offer for sale, display for sale, or possess with intent to sell any contraband kratom products.</li><li>• The distribution and/or redemption of free kratom or kratom products or coupons or vouchers redeemable for free or discounted kratom or kratom products to any individual under the age of 21 is prohibited. Further, the distribution and/or redemption of free kratom or kratom products or coupons or vouchers redeemable for free or discounted kratom or kratom products shall be prohibited, regardless of the age of the individual to whom the products, coupons, or vouchers are distributed, within 500 feet of any school.</li><li>• Kratom and kratom products shall only be sold at fixed retail locations. The delivery of kratom and kratom products to retail purchasers is prohibited.</li><li>• The Department of Health (Department) shall provide kratom and kratom product retailers with signs concerning the prohibition of sales to individuals under 21 years of age. The signs shall: (1) contain in red bold lettering a minimum of three-eighths inch high on a white background the following wording in both English and Spanish: “THE SALE OF KRATOM PRODUCTS, TO INDIVIDUALS UNDER THE AGE OF 21 IS AGAINST RHODE ISLAND LAW. PHOTO ID FOR PROOF OF AGE IS REQUIRED FOR PURCHASE.” Each red letter shall feature a visible black border; (2) Contain the phone number at the Department where violations can be reported; and (3) be displayed prominently for public view wherever kratom or kratom products are sold including at each cash register.</li></ul>

<b><u>RHODE ISLAND</u></b>	
<b>Product label requirements</b>	<p>Kratom and kratom products shall have clearly visible labeling including, but not limited to:</p> <ul style="list-style-type: none"> <li>• A recommendation to consult a healthcare professional prior to use;</li> <li>• A statement that kratom may be habit forming;</li> <li>• A statement that kratom is not safe for use while pregnant or breastfeeding;</li> <li>• A warning that the product may result in dangerous medication interactions;</li> <li>• The following statement: “These statements have not been evaluated by the United States Food and Drug Administration. This product is not intended to diagnose, treat, cure, or prevent any disease;”</li> <li>• The net quantity of contents declared in numerical count or in volume or weight in United States Customary System terms;</li> <li>• The amount of mitragynine and/or 7-hydroxymitragynine contained in a serving;</li> <li>• A recommended amount of kratom product per serving;</li> <li>• A recommended number of servings that can be safely consumed in a 24 hour period;</li> <li>• The total amount of mitragynine and 7-hydroxymitragynine contained in the kratom product;</li> <li>• A statement that the product should be stored safely and out of reach of children; and</li> <li>• The name, physical non-post office box address of the manufacturer.</li> </ul>
<b>Penalties for violations</b>	<ul style="list-style-type: none"> <li>• An individual or entity that violates § 21-28.12-3 or § 21-28.12-4 may be subject to the suspension or revocation of its license pursuant to § 12-28.12-9 by the Department of Health (Department) and shall be subject to a fine by the Department of not more than \$1,000 for the first offense and not more than \$2,000 for the second offense. Upon a third violation, the license of the retailer shall be revoked by the Department, and the retailer shall be prohibited from selling kratom or kratom products.</li> <li>• An individual or entity who adulterates a kratom product with any controlled substance shall be subject to penalties under the Rhode Island Kratom Act as well as those under § 21-28-4.01.</li> </ul>

<b><u>RHODE ISLAND</u></b>	
<b>Penalties for violations (continued)</b>	<ul style="list-style-type: none"> <li>• All kratom products that are held for sale or distribution within the borders of the state in violation of the requirements of the Rhode Island Kratom Act are declared to be contraband goods and may be seized by the Department or the Department's agents, or employees, or by any sheriff, or the sheriff's deputy, or any police officer when directed by the Department to do so, without a warrant. All contraband goods seized by the state under this chapter shall be destroyed.</li> <li>• All fixtures, equipment, and all other materials and personal property on the premises of any distributor or retailer who or that, with the intent to defraud the state, fails to keep or make any record, return, report, or inventory; keeps or makes any false or fraudulent record, return, report, or inventory required by the Rhode Island Kratom Act; refuses to pay any tax imposed by the Rhode Island Kratom Act; or attempts in any manner to evade or defeat the requirements of the Rhode Island Kratom Act shall be forfeited to the state.</li> <li>• Any individual who violates § 21-28.12-5.2 shall be fined by the Department as follows: (1) for a first offense in a 24 month period, fined not more than 10 times the retail value of the contraband kratom products; and (2) for a second or subsequent offense in a 24 month period, fined not more than 25 times the retail value of the contraband kratom products.</li> <li>• Any manufacturer, importer, distributor, or retailer who sells, offers for sale, or possesses with intent to sell, kratom or kratom products, without a license as provided in § 21-28.12-6 shall be fined \$5,000 by the Department.</li> <li>• Every separate, free or discounted kratom or kratom product or coupon or voucher redeemable for a free or discounted kratom or kratom product in violation of § 11-9-13.22 shall constitute a separate offense subject to a fine of \$500 dollars.</li> </ul>
<b>Other statewide provisions of note</b>	<ul style="list-style-type: none"> <li>• The Department may require an independent third-party test of a kratom product by a laboratory of the Department's choice to determine if the product is prohibited by § 21-28.12-3, and the retailer shall be required to submit payment for the test and administrative costs associated with said testing. If the retailer does not tender payment to the department within 30 days of receipt of the invoice, the retailer may be subject to the suspension or revocation of its license.</li> </ul>

<b><u>RHODE ISLAND</u></b>	
<b>Other statewide provisions of note (continued)</b>	<ul style="list-style-type: none"> <li>• When any kratom products are confiscated under the provisions of § 21-28.12-5.1, upon the request of an individual claiming an interest in the kratom, the Department shall conduct a hearing.</li> <li>• When a fine or license suspension or revocation occurs under the Rhode Island Kratom Act, upon the request of the aggrieved party, the Department shall conduct a hearing.</li> <li>• Kratom and Kratom products are subject to sales tax and a state kratom and kratom product excise tax, which §44-20.3-2 establishes at a rate of 15 percent of the wholesale cost for for all kratom and kratom products, whether or not sold at wholesale, and if not sold, then at the same rate upon the use by the wholesaler.</li> <li>• All funds received pursuant to the Rhode Island Kratom Act shall be payable to the Department. There is to be established a restricted receipt account to be known as the “kratom administration account,” which shall be a separate account within the Department. Penalties, fines, application fees, and license renewal fees shall be deposited into the account. Funds deposited into the account shall be transferred to the Department and shall be expended for the purpose of administering the Rhode Island Kratom Act.</li> <li>• The Department and the Department of Behavioral Healthcare, Developmental Disabilities and Hospitals shall have the authority to perform unannounced statewide compliance checks of kratom product sales.</li> <li>• No individual shall sell tobacco products, including electronic nicotine-delivery system products, or kratom and kratom products, at retail without first being trained in the legal sale of tobacco products, including electronic nicotine-delivery system products, or kratom and kratom products, as applicable. Training shall teach employees what constitutes a tobacco product, including an electronic nicotine-delivery system product, or kratom and kratom products, as applicable; legal age of sale; acceptable identification; how to refuse a direct sale to an underage individual or secondary sale to an individual 21 years or older; and all applicable laws on tobacco, electronic nicotine-delivery systems or kratom and kratom products, as applicable to sales and distribution.</li> </ul>
<b>Recently proposed legislation</b>	None, other than legislation enacted in 2025.

<b><u>SOUTH CAROLINA</u></b>	
<b>Statute(s) and/or regulation(s)</b>	S.C. CODE ANN. §§ 44-53-2010 through 44-53-2040 (West 2025) (Kratom Consumer Protection Act)
<b>Relevant substantive amendment(s)</b>	July 11, 2025 - Kratom Consumer Protection Act effective
<b>Is kratom or its related substances controlled?</b>	No.
<b>Defined term(s)</b>	<ul style="list-style-type: none"> <li>• “Food” means any food, food product, food ingredient, dietary ingredient, dietary supplement, or beverage intended for human consumption.</li> <li>• “Kratom” means any part of the tropical evergreen plant <i>Mitragyna speciosa</i>.</li> <li>• “Kratom processor” means an individual or entity that prepares, manufactures, distributes, or maintains kratom products or advertises, represents, or claims to sell, prepare, or maintain kratom products.</li> <li>• “Kratom product” means any food or dietary ingredient, produced as a food, drink, powder, pill, capsule, or any other format intended for oral consumption that: (1) contains any part of the leaf of the plant <i>Mitragynine speciosa</i>, either in its native leaf or extracted form; or (2) contains any kratom alkaloids or constituents, or synthesized metabolites of any kratom alkaloids or constituents.</li> <li>• “Kratom retailer” means an individual or entity that sells or advertises, represents, or claims to sell kratom products.</li> </ul>

<b><u>SOUTH CAROLINA</u></b>	
<b>Limitations on possession, distribution, sale, or manufacture</b>	<ul style="list-style-type: none"> <li>It is unlawful for a kratom processor or kratom retailer to distribute, dispense, or sell any kratom product to any individual under 21 years of age.</li> <li>It is unlawful for a kratom processor or kratom retailer to prepare, manufacture, distribute, dispense, or sell any kratom product that: <ul style="list-style-type: none"> <li>Is adulterated with a dangerous non-kratom substance that affects the quality or strength of the product to such a degree that it may injure a consumer;</li> <li>Contains a poisonous or otherwise harmful non-kratom ingredient including, but not limited to, any controlled substance;</li> <li>Contains a fully synthetic alkaloid including, but not limited to, fully synthetic mitragynine, fully synthetic 7-hydroxymitragynine, or any other fully synthetically derived compound of the plant <i>Mitragyna speciosa</i>; or</li> <li>Contains levels of residual solvents higher than the standard set forth in Chapter 467 of the U.S. Pharmacopeia National Formulary.</li> </ul> </li> <li>It is unlawful for a kratom retailer to display or store a kratom product in a retail location in a manner that would allow the product to be accessed by an individual under 21 years of age.</li> </ul>
<b>Product label requirements</b>	<p>Every kratom product must be accompanied by a clear label that provides adequate information for safe and effective use by consumers including, but not limited to:</p> <ul style="list-style-type: none"> <li>A list of the ingredients used in the manufacture of the product;</li> <li>The amount of mitragynine and 7-hydroxymitragynine contained in the product;</li> <li>The recommended serving size of the product;</li> <li>The number of servings per container;</li> <li>The name and the principle street address of the vendor or the individual responsible for distributing the product;</li> <li>Any precautionary statements as to the safety and effectiveness of the product;</li> <li>A statement that the product is not intended to diagnosis, treat, cure, or prevent any medical condition or disease; and</li> <li>A statement that the sale or transfer of the product to an individual under 21 years of age is prohibited.</li> </ul>

<b><u>SOUTH CAROLINA</u></b>	
<b>Penalties for violations</b>	A retailer found to be in violation of § 44-53-2020 or § 44-53-2030 is subject to a civil penalty of not more than \$1,000 for a first offense and a civil penalty of not more than \$2,000 for a second or subsequent offense.
<b>Other statewide provisions of note</b>	None
<b>Recently proposed legislation</b>	None, other than legislation enacted in 2025.

<b><u>SOUTH DAKOTA</u></b>	
<b>Statute(s) and/or regulation(s)</b>	<ul style="list-style-type: none"> <li>• S.D. CODIFIED LAWS § 35-20B-1 (West 2025) (definitions)</li> <li>• S.D. CODIFIED LAWS §§ 34-20B-115 and 24-20B-115.1 (West 2025) (kratom product requirements)</li> </ul>
<b>Relevant substantive amendment(s)</b>	<p>July 1, 2021 - Law effective</p> <p>July 1, 2025 - Amendment adds additional kratom product requirements; definitions updated</p>
<b>Is kratom or its related substances controlled?</b>	No.
<b>Defined term(s)</b>	<ul style="list-style-type: none"> <li>• “Kratom” means any part of the leaf of the plant <i>Mitragyna speciosa</i>.</li> <li>• “Kratom product” means a food or dietary ingredient containing kratom.</li> </ul>
<b>Limitations on possession, distribution, sale, or manufacture</b>	<ul style="list-style-type: none"> <li>• The following actions are unlawful: <ul style="list-style-type: none"> <li>○ Knowingly selling or distributing a kratom product to an individual under the age of 21.</li> <li>○ Purchasing, attempting to purchase, the receipt or attempt to receive, the possession, or the consumption of a kratom product by an individual under the age of 21.</li> <li>○ Purchasing a kratom product on behalf of, or to give a kratom product to, any individual under the age of 21, unless the purchaser is a parent or guardian of the individual under the age of 21.</li> </ul> </li> <li>• No individual may prepare, sell, or distribute a kratom product that: <ul style="list-style-type: none"> <li>○ Contain a level of 7-hydroxymitragynine in the alkaloid fraction that is greater than two percent of the alkaloid composition of the product;</li> <li>○ Contains synthetic mitragynine, synthetic 7-hydroxymitragynine, or any other synthetic alkaloid or synthetically derived compound from the <i>Mitragyna speciosa</i> plant;</li> <li>○ Contains a poisonous or otherwise deleterious non-kratom substance, including any substance designated as a controlled substance; or</li> <li>○ Is mixed or packed with a non-kratom substance that affects the quality or strength of the kratom product, rendering the product injurious to a customer.</li> </ul> </li> </ul>

<b><u>SOUTH DAKOTA</u></b>	
<b>Product label requirements</b>	No individual may prepare, sell, or distribute a kratom product that: <ul style="list-style-type: none"><li>• Does not include on its package or label the recommended serving size of the kratom product, a recommended number of servings that can be safely consumed in a twenty-four-hour period, and a list of servings per container;</li><li>• Does not include on its package or label the amount of mitragynine and 7-hydroxymitragynine contained in the kratom product; or</li><li>• Does not include on its package or label the following warning statement: “Consult a licensed, qualified healthcare professional before consuming this product. Not for use by women who are pregnant, nursing, or trying to become pregnant.”</li></ul>
<b>Penalties for violations</b>	Each of the violations is a Class 2 misdemeanor.
<b>Other statewide provisions of note</b>	None
<b>Recently proposed legislation</b>	Yes, see <a href="#">Recently Proposed Legislation</a> .

<b><u>TENNESSEE</u></b>	
<b>Statute(s) and/or regulation(s)</b>	TENN. CODE ANN. § 39-17-452 (West 2025)
<b>Relevant substantive amendment(s)</b>	<ul style="list-style-type: none"> <li>• July 1, 2013 – Criminalized synthetic mitragynine and 7-hydroxymitragynine.</li> <li>• July 1, 2018 – Began regulating natural kratom products.</li> </ul>
<b>Is kratom or its related substances controlled?</b>	No.
<b>Defined term(s)</b>	“Natural form” means dried, cut, and sifted kratom leaf or raw kratom leaf powder.
<b>Limitations on possession, distribution, sale, or manufacture</b>	<ul style="list-style-type: none"> <li>• It is unlawful to knowingly produce, manufacture, distribute, sell, offer for sale, or possess any capsule, pill, or other product composed of or containing any amount of synthetic mitragynine and/or 7-hydroxymitragynine.</li> <li>• It is unlawful for a person to knowingly: <ul style="list-style-type: none"> <li>○ Sell, or offer for sale, kratom unless labeled and in its natural form;</li> <li>○ Distribute, sell, or offer for sale, kratom to a person under the age of 21 years; or</li> <li>○ Purchase or possess kratom if under the age of 21 years.</li> </ul> </li> </ul>
<b>Product label requirements</b>	Kratom products must be labeled with a label containing the manufacturer's information and a warning that includes, at a minimum, “Warning: Do not use if you are pregnant or nursing. It is illegal to possess Kratom if under 21 years of age. Consult your healthcare professional before using. Do not combine with alcohol or medication. Consult a doctor prior to usage if you have any heart disease, liver disorder, high blood pressure, or medical condition or take medication.”
<b>Penalties for violations</b>	All violations are Class A misdemeanors
<b>Other statewide provisions of note</b>	In May 2025, the General Assembly passed a joint resolution stating that it supports the strictest state regulation of kratom or even an outright ban on the sale of kratom in the state.
<b>Recently proposed legislation</b>	Yes, see <a href="#">Recently Proposed Legislation</a> .

<u>TEXAS</u>	
<b>Statute(s) and/or regulation(s)</b>	TEX. HEALTH & SAFETY CODE ANN. §§ 445.001 to 445.007 (West 2025) (manufacture, distribution, and sale of kratom products)
<b>Relevant substantive amendment(s)</b>	September 1, 2023 - Law effective
<b>Is kratom or its related substances controlled?</b>	No.
<b>Defined term(s)</b>	<ul style="list-style-type: none"> <li>• “Kratom” is defined as any part of the leaf of the plant <i>Mitragyna speciosa</i>.</li> <li>• “Kratom processor” is defined as a person who: (1) manufactures, prepares, distributes, or maintains kratom products for sale; (2) advertises, represents, or holds oneself out as a manufacturer, preparer, or seller of kratom products; (3) is responsible for ensuring the purity and proper labeling of kratom products; or (4) packages or labels kratom products.</li> <li>• “Kratom product” is defined as a food, including an extract, capsule, or pill, containing any form of kratom.</li> <li>• “Kratom retailer” is defined as a kratom processor who sells kratom products to consumers or who advertises, represents, or holds oneself out as a person who sells kratom products to consumers.</li> </ul>
<b>Limitations on possession, distribution, sale, or manufacture</b>	<ul style="list-style-type: none"> <li>• A kratom processor or kratom retailer may not prepare, distribute, sell, or offer to sell a kratom product that: <ul style="list-style-type: none"> <li>○ Is adulterated with a dangerous non-kratom substance affecting the quality or strength of the product to a degree that renders the product injurious to a consumer.</li> <li>○ Is contaminated with a poisonous or otherwise deleterious non-kratom substance, including any substance designated as a controlled substance by Chapter 481 (Texas Controlled Substances Act);</li> <li>○ Contains a level of 7-hydroxymitragynine in the alkaloid fraction that is greater than two percent of the overall alkaloid composition of the product; or</li> <li>○ Contains any synthetic alkaloids, including synthetic 7-hydroxymitragynine and synthetically derived compounds from a kratom plant.</li> </ul> </li> <li>• A person commits an offense if the person distributes, sells, or exposes for sale a kratom product to an individual younger than 18 years of age.</li> </ul>

<u>TEXAS</u>	
<b>Product label requirements</b>	A kratom processor is required to label each kratom product with the product use directions necessary to ensure safe use of the product by a consumer, including the recommended serving size for the product. A kratom retailer may only sell a kratom product that is properly labeled.
<b>Penalties for violations</b>	<ul style="list-style-type: none"> <li>• Distributing, selling, or exposing for sale a kratom product to an individual under the age of 18 is a Class C misdemeanor.</li> <li>• A person who violates the Texas Kratom Consumer Health and Safety Protection Act is subject to a civil penalty in the amount of: (1) \$250 for the first violation; (2) \$500 for the second violation; and (3) \$1,000 for each subsequent violation. Each day a violation continues or occurs is a separate violation for purposes of imposing a penalty under this section. A kratom retailer is not liable for a civil penalty for a violation of Section 444.002 (label requirement) or 444.003 (adulterated, contaminated, and prohibited kratom products) if the kratom retailer proves by a preponderance of the evidence that the violation was unintentional and due to the kratom retailer's good faith reliance on the representation of another kratom processor.</li> </ul>
<b>Other statewide provisions of note</b>	None
<b>Recently proposed legislation</b>	Yes, see <a href="#">Recently Proposed Legislation</a> .

<u>UTAH</u>	
<b>Statute(s) and/or regulation(s)</b>	UTAH CODE ANN. §§ 4-45-101 to 4-45-108 (West 2025) (Kratom Consumer Protection Act)
<b>Relevant substantive amendment(s)</b>	May 14, 2019 - Law effective
<b>Is kratom or its related substances controlled?</b>	No.
<b>Defined term(s)</b>	<ul style="list-style-type: none"> <li>• “Food” means: (1) an article used for food or drink for human or animal consumption or the components of the article; (2) chewing gum or chewing gum components; or (3) a food supplement for special dietary use that is necessitated because of a physical, physiological, pathological, or other condition.</li> <li>• “Kratom processor” means a person who: (1) sells, prepares, or maintains a kratom product; or (2) advertises, represents, or holds oneself out as selling, preparing, or maintaining a kratom product.</li> <li>• “Kratom product” means food containing any part of a leaf of the plant <i>Mitragyna speciosa</i>.</li> </ul>
<b>Limitations on possession, distribution, sale, or manufacture</b>	<ul style="list-style-type: none"> <li>• A kratom processor may not prepare, distribute, sell, or offer for sale a kratom product: <ul style="list-style-type: none"> <li>○ That is mixed or packed with a non-kratom substance that affects the quality or strength of the kratom product to such a degree as to render the kratom product injurious to a consumer;</li> <li>○ That contains a poisonous or otherwise deleterious non-kratom ingredient, including a controlled substance;</li> <li>○ Containing a level of 7-hydroxymitragynine in the alkaloid fraction that is greater than 2 percent of the alkaloid composition of the kratom product;</li> <li>○ Containing a synthetic alkaloid, including synthetic mitragynine, synthetic 7-hydroxymitragynine, or any other synthetically derived compound of the kratom plant; or</li> <li>○ That does not include a product label on the kratom product packaging that states the amount of mitragynine and 7-hydroxymitragynine contained in the packaged kratom product.</li> </ul> </li> </ul>

<u>UTAH</u>	
<b>Limitations on possession, distribution, sale, or manufacture (continued)</b>	<ul style="list-style-type: none"> <li>• A kratom processor may not prepare, distribute, sell, or offer for sale a kratom product that is not registered with the state department of agriculture (department). The department must set a fee to register a kratom product that may be paid by a producer, manufacturer, or distributor of a kratom product, but a kratom product may not be registered with the department until the fee is paid. The department may seize and destroy any unregistered kratom product offered for sale in Utah.</li> <li>• A kratom processor may not distribute, sell, or offer for sale a kratom product to an individual under 18 years of age.</li> </ul>
<b>Product label requirements</b>	A kratom processor must disclose on the product label of each kratom product that the kratom processor prepares, distributes, sells, or offers for sale the factual basis upon which the kratom processor represents the food as a kratom product.
<b>Penalties for violations</b>	<ul style="list-style-type: none"> <li>• Violating § 4-45-103 regarding the factual basis for which kratom is food, subjects a processor to an administrative fine of up to \$500 for the first offense, and up to \$1,000 for the second or subsequent offense.</li> <li>• Violating § 4-45-104 regarding kratom processor requirements subjects a processor to a Class C misdemeanor for each violation. A kratom processor does not violate § 4-45-104 if the kratom processor shows by a preponderance of the evidence that the kratom processor relied in good faith upon the representation of a manufacturer, processor, packer, or distributor of food represented to be a kratom product.</li> <li>• Violating § 4-45-105 regarding the prohibition on sale to minors subjects a kratom processor to a Class C misdemeanor for each violation.</li> </ul>
<b>Other statewide provisions of note</b>	<ul style="list-style-type: none"> <li>• A kratom processor must register as a food establishment in accordance with § 4-5-301.</li> <li>• An individual may bring a civil action for damages resulting from a violation of Utah's Kratom Consumer Protection Act, including economic, non-economic, or consequential damages.</li> </ul>
<b>Recently proposed legislation</b>	Yes, see <a href="#">Recently Proposed Legislation</a> .

<b><u>VERMONT</u></b>	
<b>Statute(s) and/or regulation(s)</b>	12-5 VT. CODE R. § 23:7.0 (West 2025)
<b>Relevant substantive amendment(s)</b>	January 1, 2016 - Mitragynine and 7-hydroxymitragynine added to regulated drug rule
<b>Is kratom or its related substances controlled?</b>	Yes. Vermont regulations list mitragynine and 7-hydroxymitragynine in the state's Regulated Drug Rule. This rule designates drugs and other chemical substances that are illegal or judged to be potentially fatal or harmful for human consumption unless prescribed and dispensed by a professional licensed to prescribe or dispense them and used in accordance with the prescription.
<b>Defined term(s)</b>	None
<b>Limitations on possession, distribution, sale, or manufacture</b>	The limitations placed by Vermont law on regulated drugs.
<b>Product label requirements</b>	None
<b>Penalties for violations</b>	The penalties placed by Vermont law on regulated drugs.
<b>Other statewide provisions of note</b>	None
<b>Recently proposed legislation</b>	Yes, see <a href="#">Recently Proposed Legislation</a> .

<b><u>VIRGINIA</u></b>	
<b>Statute(s) and/or regulation(s)</b>	VA. CODE ANN. § 59.1-200(77) (West 2025)
<b>Relevant substantive amendment(s)</b>	July 1, 2023 - Law effective
<b>Is kratom or its related substances controlled?</b>	No.
<b>Defined term(s)</b>	“Kratom” means any part of the leaf of the plant <i>Mitragyna speciosa</i> or any extract thereof.
<b>Limitations on possession, distribution, sale, or manufacture</b>	It is unlawful to sell or offer for sale any kratom product to a person younger than 21 years of age.
<b>Product label requirements</b>	Kratom products must include a label listing all ingredients and contain the following guidance: “This product may be harmful to your health, has not been evaluated by the FDA, and is not intended to diagnose, treat, cure, or prevent any disease.”
<b>Penalties for violations</b>	Selling or offering for sale any kratom product to a person younger than 21 years of age or selling kratom products that are unproperly labeled is a violation of the Virginia Consumer Protection Act. An initial violation results in a civil penalty of no more than \$2,500 per violation. A second or subsequent violation results in a civil penalty of not more than \$5,000 per violation.
<b>Other statewide provisions of note</b>	None
<b>Recently proposed legislation</b>	Yes, see <a href="#">Recently Proposed Legislation</a> .

<b><u>WASHINGTON</u></b>	
<b>Statute(s) and/or regulation(s)</b>	None
<b>Relevant substantive amendment(s)</b>	N/A
<b>Is kratom or its related substances controlled?</b>	N/A
<b>Defined term(s)</b>	N/A
<b>Limitations on possession, distribution, sale, or manufacture</b>	N/A
<b>Product label requirements</b>	N/A
<b>Penalties for violations</b>	N/A
<b>Other statewide provisions of note</b>	N/A
<b>Recently proposed legislation</b>	Yes, see <a href="#">Recently Proposed Legislation</a> .

<b><u>WEST VIRGINIA</u></b>	
<b>Statute(s) and/or regulation(s)</b>	W. VA. CODE ANN. §§ 19-12F-1 through 11 (West 2025) (Select Plant-based Product Regulation Act: Kratom)
<b>Relevant substantive amendment(s)</b>	<ul style="list-style-type: none"> <li>• June 9, 2023 - Law effective</li> <li>• March 9, 2024 - Definitions modified; adds a business registration requirement; updates taxation requirements; adds administrative sanctions</li> </ul>
<b>Is kratom or its related substances controlled?</b>	No.
<b>Defined term(s)</b>	<ul style="list-style-type: none"> <li>• “Contaminated” means made impure and unsafe by biological, chemical, or physical additives.</li> <li>• “Kratom” is defined as a psychoactive preparation that is composed of the crushed or powdered dried leaves of the <i>Mitragyna speciosa</i>, a flowered tropical tree which contains the alkaloids mitragynine and 7-hydroxymitragynine.</li> <li>• “Kratom Product” is defined as a food product, food ingredient, dietary ingredient, dietary supplement, or beverage intended or marketed for human consumption containing any part of the leaf of the plant <i>Mitragyna speciosa</i>.</li> <li>• “Grower” is defined as a person or entity which grows kratom for commercial purposes.</li> <li>• “Processor” or “manufacturer” is defined as a person or entity that processes, compounds, or converts plant material from <i>Mitragyna speciosa</i> into a kratom product. This also includes further processing, compounding, converting, or repackaging of existing kratom products.</li> <li>• “Retailer” or “seller” is defined as a person or entity that distributes, offers for sale, or sells kratom or kratom products to persons for personal consumption.</li> </ul>
<b>Limitations on possession, distribution, sale, or manufacture</b>	<ul style="list-style-type: none"> <li>• Any person manufacturing, processing, distributing, offering for sale, or selling any kratom or kratom products in the state must have a permit issued by the Commissioner of Agriculture (Commissioner) and be otherwise authorized to do business in this state. The Commissioner may issue manufacturer, processor, distributor, and retailer permits.</li> <li>• Individuals engaged in the manufacturing, processing, distribution, or sale of kratom or kratom products in the state must obtain a West Virginia Business registration certificate. Individuals located outside of the state that are engaged in the distribution or sale of kratom or kratom products across state lines into the state must also obtain a West Virginia Business registration certificate.</li> </ul>

<b><u>WEST VIRGINIA</u></b>	
<b>Limitations on possession, distribution, sale, or manufacture (continued)</b>	<ul style="list-style-type: none"> <li>• Any website owned, managed, or operated by a person who manufactures, processes, distributes, offers for sale, or sells a product containing kratom or kratom products to persons in this state must employ a neutral age-screening mechanism that verifies that the user is at least 21 years old, including by using an age-gate, age-screen, or other age-verification mechanism approved by the Commissioner.</li> <li>• Any person or entity distributing, offering to distribute or sell, or selling kratom or kratom products to persons in this state by means other than a direct in-person transaction must employ an age-verification mechanism approved by the Commissioner.</li> <li>• The Commissioner shall propose legislative rules that include, but are not limited to: <ul style="list-style-type: none"> <li>○ Issuance of permits to persons who wish to manufacture, process, distribute, offer for sale, or sell kratom;</li> <li>○ Sampling and testing of kratom to determine purity levels;</li> <li>○ Supervision of the kratom during its manufacture, processing, and sale;</li> <li>○ Assessment of fees that are commensurate with the costs of the Commissioner's activities in permitting, testing, and supervising the regulation of kratom and the sale of kratom products;</li> <li>○ The production, processing, sale, possession, distribution, or transport of kratom products;</li> <li>○ Developing guidelines or standards related to the display or staging of kratom products to increase the safety of underage patrons in retail environments;</li> <li>○ Developing prohibitive standards as to child targeted packaging and shapes and forms of products.</li> </ul> </li> </ul>
<b>Product label requirements</b>	The Commissioner shall propose legislative rules for promulgation that include, but are not limited to, developing standards for the labeling of kratom products to include, at a minimum, a statement which says "KEEP OUT OF REACH OF CHILDREN. CONSULT YOUR PHYSICIAN BEFORE USE IF YOU ARE PREGNANT OR TAKING ANY MEDICATION."

<b><u>WEST VIRGINIA</u></b>	
<b>Penalties for violations</b>	<b>• Any kratom product found in violation of W. VA. CODE ANN. § 19-12F-1 through 11 (West 2025) is declared contraband and any property interest in the kratom or kratom is vested in the State of West Virginia and is subject to seizure and forfeiture and destruction.</b>
	<b>• Any person who manufactures, processes, distributes, sells, or offers for sale any kratom or kratom product in this state without a permit is guilty of a crime.</b> <ul style="list-style-type: none"><li>○ A first violation of this subsection is a misdemeanor, and, upon conviction thereof, a person shall be fined not more than \$1,000, confined in jail for not more than one year, or both fined and confined.</li><li>○ A second or subsequent violation of this subsection is a felony and, upon conviction thereof, a person shall be fined not more than \$5,000 or imprisoned in a state correctional facility for not less than one nor more than five years, or both fined and imprisoned.</li></ul>
	<b>• Any person who manufactures, processes, distributes, sells or offers to sell any kratom or kratom product knowing or having reason to know that the product has been contaminated with a toxic or illegal substance is guilty of a felony, and, upon conviction thereof, shall be fined not more than \$10,000 or imprisoned in a state correctional facility for not less than two nor more than 10 years, or both fined and imprisoned.</b>
	<b>• Any person who knowingly manufactures, processes, distributes, sells, or offers for sale any kratom or kratom product which has not been approved by the Commissioner is guilty of a misdemeanor and, upon conviction thereof, shall be fined not less than \$1,000 nor more than \$ 5,000 or confined in jail for not more than one year, or both fined and confined. A second or subsequent violation constitutes a felony and any person convicted thereof, shall be fined not more than \$5,000 or imprisoned for not less than one nor more than five years, or both fined and imprisoned.</b>
	<b>• Any person who knowingly manufactures, distributes, offers for sale, or sells contaminated kratom or kratom product is guilty of a felony and, upon conviction thereof, shall be fined not less than \$10,000 nor more than \$25,000 or imprisoned for not less than one nor more than five years, or both fined and imprisoned.</b>

<b><u>WEST VIRGINIA</u></b>	
<b>Penalties for violations (continued)</b>	<ul style="list-style-type: none"><li>• Any person who knowingly distributes or sells a kratom or kratom product to a person under the age of 21 is guilty of a felony and, upon conviction thereof, shall be fined not more than \$5,000 or imprisoned in a state correctional facility for not less than one nor more than five years, or both fined and imprisoned.</li><li>• Any person under the age of 21 who possesses kratom or a kratom product is guilty of a misdemeanor and upon conviction thereof, shall be fined not more than \$1,000 or confined in jail for not more than one year, or both fined and confined. Second and subsequent violations constitute a felony and any person convicted thereof, shall be fined not more than \$5,000 and imprisoned in a state correctional facility for not less than one nor more than three years, or both fined and imprisoned.</li><li>• In the case of any individual or entity holding a permit issued by the Commissioner charged with any criminal violation, in addition to such criminal penalties imposed, the Commissioner may impose administrative sanctions.</li></ul>
<b>Other statewide provisions of note</b>	<ul style="list-style-type: none"><li>• The Tax Commissioner must keep a list of all individuals and entities that have been issued permits pursuant to § 19-12F-4. Such list must be public information and be published on the Tax Commissioner's website</li><li>• The Tax Commissioner must keep a list of any individual or entities that have been subject to a permit revocation, withdrawal, suspension, non-renewal, or other process whereby the individual or entity has ceased to be a permit holder in good standing with the Tax Commissioner.</li><li>• The Tax Commissioner must keep a list of all kratom and kratom products that have been approved for sale or distribution in the state. The list must be public information and be published on the Tax Commissioner's website.</li></ul>

<b><u>WEST VIRGINIA</u></b>	
<b>Other statewide provisions of note (continued)</b>	<ul style="list-style-type: none"><li>For the privilege of engaging or continuing within this state in the business of the retail sale of kratom or kratom products, there is hereby levied upon and collected from every person exercising the privilege a privilege tax equal to 11 percent of the retail sales price of kratom or kratom products sold during the reporting period. The tax imposed should not be added by the retailer as a separate charge or line item on any sales slip, invoice, receipt, other statement, or memorandum of the price paid by a customer. Funds from the tax imposed and deposited into the Agricultural Fees Fund are to be divided and deposited as follows: (1) 65 percent is to remain in the Agriculture Fees Fund; (2) five percent is to be transferred to the Fight Substance Abuse Fund; and (3) 30 percent is to be deposited in the Alcohol Beverage Control Enforcement Fund.</li></ul>
<b>Recently proposed legislation</b>	None

<b><u>WISCONSIN</u></b>	
<b>Statute(s) and/or regulation(s)</b>	WIS. STAT. ANN. § 961.14 (West 2025)
<b>Relevant substantive amendment(s)</b>	April 25, 2014 – Kratom-related substances added to the list of Schedule I controlled substances.
<b>Is kratom or its related substances controlled?</b>	Yes, mitragynine and 7-hydroxymitragynine are Schedule I controlled substances.
<b>Defined term(s)</b>	None
<b>Limitations on possession, distribution, sale, or manufacture</b>	The limitations placed by Wisconsin law on Schedule I controlled substances.
<b>Product label requirements</b>	None
<b>Penalties for violations</b>	The penalties placed by Wisconsin law on Schedule I controlled substances.
<b>Other statewide provisions of note</b>	None
<b>Recently proposed legislation</b>	None

<b><u>WYOMING</u></b>	
<b>Statute(s) and/or regulation(s)</b>	None
<b>Relevant substantive amendment(s)</b>	N/A
<b>Is kratom or its related substances controlled?</b>	N/A
<b>Defined term(s)</b>	N/A
<b>Limitations on possession, distribution, sale, or manufacture</b>	N/A
<b>Product label requirements</b>	N/A
<b>Penalties for violations</b>	N/A
<b>Other statewide provisions of note</b>	N/A
<b>Recently proposed legislation</b>	None

<b><u>AMERICAN SAMOA</u></b>	
<b>Statute(s) and/or regulation(s)</b>	None
<b>Relevant substantive amendment(s)</b>	N/A
<b>Is kratom or its related substances controlled?</b>	N/A
<b>Defined term(s)</b>	N/A
<b>Limitations on possession, distribution, sale, or manufacture</b>	N/A
<b>Product label requirements</b>	N/A
<b>Penalties for violations</b>	N/A
<b>Other statewide provisions of note</b>	N/A
<b>Recently proposed legislation</b>	None

<b><u>GUAM</u></b>	
<b>Statute(s) and/or regulation(s)</b>	None
<b>Relevant substantive amendment(s)</b>	N/A
<b>Is kratom or its related substances controlled?</b>	N/A
<b>Defined term(s)</b>	N/A
<b>Limitations on possession, distribution, sale, or manufacture</b>	N/A
<b>Product label requirements</b>	N/A
<b>Penalties for violations</b>	N/A
<b>Other statewide provisions of note</b>	N/A
<b>Recently proposed legislation</b>	None

<b><u>NORTHERN MARIANA ISLANDS</u></b>	
<b>Statute(s) and/or regulation(s)</b>	None
<b>Relevant substantive amendment(s)</b>	N/A
<b>Is kratom or its related substances controlled?</b>	N/A
<b>Defined term(s)</b>	N/A
<b>Limitations on possession, distribution, sale, or manufacture</b>	N/A
<b>Product label requirements</b>	N/A
<b>Penalties for violations</b>	N/A
<b>Other statewide provisions of note</b>	N/A
<b>Recently proposed legislation</b>	None

<b><u>PUERTO RICO</u></b>	
<b>Statute(s) and/or regulation(s)</b>	None
<b>Relevant substantive amendment(s)</b>	N/A
<b>Is kratom or its related substances controlled?</b>	N/A
<b>Defined term(s)</b>	N/A
<b>Limitations on possession, distribution, sale, or manufacture</b>	N/A
<b>Product label requirements</b>	N/A
<b>Penalties for violations</b>	N/A
<b>Other statewide provisions of note</b>	N/A
<b>Recently proposed legislation</b>	None

<b><u>U.S. VIRGIN ISLANDS</u></b>	
<b>Statute(s) and/or regulation(s)</b>	None
<b>Relevant substantive amendment(s)</b>	N/A
<b>Is kratom or its related substances controlled?</b>	N/A
<b>Defined term(s)</b>	N/A
<b>Limitations on possession, distribution, sale, or manufacture</b>	N/A
<b>Product label requirements</b>	N/A
<b>Penalties for violations</b>	N/A
<b>Other statewide provisions of note</b>	N/A
<b>Recently proposed legislation</b>	None

<b><u>RECENTLY PROPOSED LEGISLATION</u></b>	
<b>State/Bill Number/Status</b>	<b>Description</b>
<b><u>Arkansas</u></b> S.B. 534, 95th Gen. Assemb., 2025 Reg. Sess. (Ark. 2025)	This bill would establish the Arkansas Kratom Consumer Protection Act and remove mitragynine and 7-hydroxymitragynine from the list of Schedule I controlled substances. The bill would prohibit the sale of adulterated or contaminated kratom and would prohibit the sale of kratom products to individuals under the age of 18. It would also establish a kratom processor registration process.
<b><u>California</u></b> A.B. 1088, 2025-2026 Leg., Reg. Sess. (Cal. 2025)	This bill would prohibit the sale, offer for sale, provision, or distribution of kratom leaf, a kratom product, or any product containing 7-hydroxymitragynine to a person under 21 years of age.
<b><u>Connecticut</u></b> S.B. 263, 2025 Gen. Assemb. Jan. Sess. (Conn. 2025)	This bill would require the Department of Public Health to conduct a study of the potential health benefits and risks associated with the use of kratom and any recommendations for legislation concerning its use.
<b><u>Connecticut</u></b> H.B. 5427/S.B. 706, 2025 Gen. Assemb., Jan. Sess. (Conn. 2025)	This bill would prohibit the sale of kratom products to individuals under 21 years of age.
<b><u>Florida</u></b> H.B. 1205/S.B. 994, 2026 Gen. Assemb., Reg. Sess. (Fla. 2026)	This bill would create the Florida Kratom Consumer Protection Act. The bill would prohibit processors from manufacturing, delivering, holding or offering for sale, distributing, or selling finished kratom products that do not meet specified requirements. The bill establishes permitting, registration, and certification requirements for certain kratom products.
<b><u>Florida</u></b> H.B. 309/S.B. 432, 2026 Gen. Assemb., Reg. Sess. (Fla. 2026)	This bill would schedule 7-hydroxymitragynine in concentrations above 400 parts per million on a dry-weight basis as a Schedule I controlled substance. (Currently, 7-hydroxymitragynine in concentrations above 400 parts per million on a dry-weight basis is a Schedule I controlled substance under an emergency rule issued by the state attorney general.)
<b><u>Georgia</u></b> H.B. 757, 157th Gen. Assemb., 2025-2026 Reg. Sess. (Ga. 2025)	This bill would establish an annual registration requirement for kratom processors.
<b><u>Hawaii</u></b> S.B. 463/H.B. 717, 33rd Leg., 2025-2026 Reg. Sess. (Haw. 2025)	These bills would establish the Hawaii Kratom Consumer Protection Act. Among other things, the Act requires kratom products to be registered with the Department of Health and imposes labeling requirements. The bill also prohibits the sale of kratom products to individuals under the age of 18.

<b><u>RECENTLY PROPOSED LEGISLATION</u></b>	
<b>State/Bill Number/Status</b>	<b>Description</b>
<b><u>Illinois</u></b> S.B. 1183/H.B. 1303, 104th Gen. Assemb., Reg. Sess. (Ill. 2025)	This bill would create the Kratom Consumer Protection Act. Provides that no person shall sell, offer for sale, provide, or distribute kratom leaf or a kratom product to a person under 21 years of age, with requirements for online age verification. Provides that no individual shall sell, offer for sale, provide, or distribute a kratom product that contains certain chemical compositions. Provides that an individual, business, or other entity shall not produce, sell, or distribute a kratom product that is attractive to children. Provides that no individual shall sell, offer for sale, provide, or distribute a kratom product that is adulterated with a dangerous non-kratom substance. Provides that no individual shall offer for sale any kratom product that contains synthesized or semi-synthesized kratom alkaloids or kratom constituents. Requires federal compliance for kratom products and processors. Imposes a tax of five percent on the retail sale of kratom products.
<b><u>Illinois</u></b> H.B. 3215, 104th Gen. Assemb., Reg. Sess. (Ill. 2025)	This bill would create the Kratom Consumer Protection Act. Provides for procedures for kratom product registration, with certain requirements. Provides for labeling requirements for kratom products. Provides for enforcement and criminal and other penalties. Prohibits the sale of kratom products to individuals under the age of 21.
<b><u>Illinois</u></b> S.B. 1570, 104th Gen. Assemb., Reg. Sess. (Ill. 2025)	This bill would amend 720 ILL. COMP. STAT. ANN. 642/5 (West 2025) to provide that the possession or purchase of kratom products is prohibited for all individuals, not just individuals under the age of 18.
<b><u>Illinois</u></b> H.B. 3127, 104th Gen. Assemb., Reg. Sess. (Ill. 2025)	This bill would create the Kratom Consumer Protection Act. Establishes safety requirements for the preparation, distribution, sale, and offer for sale of Kratom products and extracts. Prohibits the preparation, distribution, sale, and offer for sale of adulterated Kratom products and extracts. Provides that a processor shall not knowingly distribute, sell, or offer for sale a Kratom product to a person under 21 years of age. Provides that no person or entity shall advertise or sell a product containing any quantity of kratom, in any form or medium, within 1,000 feet of the perimeter of school grounds, a playground, a recreation center or facility, a childcare center, a public park or public library, or a game arcade that admits individuals under 21 years of age.

<b><u>RECENTLY PROPOSED LEGISLATION</u></b>	
<b>State/Bill Number/Status</b>	<b>Description</b>
<b><u>Illinois</u></b> H.B. 3129, 104th Gen. Assemb., Reg. Sess. (Ill. 2025)	This bill would repeal 720 ILL. COMP. STAT. ANN. 642/5 (West 2025) and add mitragynine and 7-hydroxymitragynine to the list of Schedule III controlled substances.
<b><u>Indiana</u></b> H.B. 1542, 2025 Leg., Reg. Sess. (Ind. 2025)	This bill would regulate the sale of kratom consumable products by requiring individuals to register with the state department of agriculture in order to manufacture, distributor, or sell a kratom product in the state. The bill prohibits the sale of kratom to individuals under the age of 21. Creates the kratom regulation fund for the purpose of funding enforcement of regulations regarding kratom consumable products.
<b><u>Iowa</u></b> S.F. 367, 91st Gen. Assemb., 2025-2026 Reg. Sess. (Iowa 2025)	This bill would designate kratom as a hallucinogenic Schedule I controlled substance.
<b><u>Iowa</u></b> H.F. 612, 91st Gen. Assemb., 2025-2026 Reg. Sess. (Iowa 2025)	This bill would regulate kratom in the state by requiring kratom processors to complete an annual registration process. The bill would also enact labeling requirements for kratom products and prohibit the distribution or sale of kratom products containing a level of 7-hydroxymitragynine greater than two percent of the alkaloid composition. The bill prohibits the sale of a kratom product to an individual under the age of 21.
<b><u>Kansas</u></b> H.B. 2230, 2025 Leg., 2025-2026 Reg. Sess. (Kan. 2025)	This bill would establish the Kratom Consumer Protection Act. The bill would define kratom as a food product, prohibit the sale of adulterated kratom, and require individuals to be at least 21 years of age to purchase kratom.
<b><u>Kentucky</u></b> H.B. 481, 2025 Gen. Assemb., Reg. Sess. (Ky. 2025)	This bill would amend KY. REV. STAT. ANN. § 217.2202 (West 2025) to eliminate the prohibition on kratom extracts and kratom products that contain greater than two percent 7-hydroxymitragynine and instead replace it with a requirement that products containing greater than two percent 7-hydroxymitragynine comply with the labeling requirement for kratom products but not be labeled or marketed as a kratom product.
<b><u>Louisiana</u></b> H.B. 253, 2025 Leg., Reg. Sess. (La. 2025).	This bill would establish the Kratom Consumer Protection Act. The bill would prohibit the sale or distribution of kratom to individuals under the age of 21, provide labeling requirements for kratom products, and establish an approval and registration process for kratom products. The bill would also limit the concentration of 7-hydroxymitragynine in kratom products.

<b><u>RECENTLY PROPOSED LEGISLATION</u></b>	
<b>State/Bill Number/Status</b>	<b>Description</b>
<b><u>Massachusetts</u></b> H.B. 4394, 194th Leg., Reg. Sess. (Mass. 2025)	This bill would establish a penalty for the sale, preparation, manufacturing, or distribution of kratom products that are contaminated with dangerous non-kratom substances. Prohibits a processor from distributing, selling, or exposing for sale a kratom product to an individual under the age of 21.
<b><u>Massachusetts</u></b> H.B. 2454, 194th Leg., Reg. Sess. (Mass. 2025)	This bill would establish a penalty for the sale, preparation, manufacturing, or distribution of kratom products that are contaminated with dangerous non-kratom substances. Prohibits a processor from distributing, selling, or exposing for sale a kratom product to an individual under the age of 18.
<b><u>Massachusetts</u></b> S.B. 1609, 194th Leg., Reg. Sess. (Mass. 2025)	This bill would establish limitations on kratom products distributed, sole, or exposed for sale in the state. Establishes an annual registration process for kratom processors and creates labeling requirements for kratom products. Prohibits the sale of any kratom products to individuals under the age of 18.
<b><u>Massachusetts</u></b> S.B. 1558, 194th Leg., Reg. Sess. (Mass. 2025)	This bill would ban a processor from preparing, distributing, selling, or exposing for sale any kratom product or any food containing kratom extract. Establishes an administrative fine for violations.
<b><u>Massachusetts</u></b> H.B. 4261/H.B. 1631, 194th Leg., Reg. Sess. (Mass. 2025)	This bill would make mitragynine and 7-hydroxymitragynine Class A substances for purposes of establishing criminal penalties.
<b><u>Massachusetts</u></b> H.B. 1680, 194th Leg., Reg. Sess. (Mass. 2025)	This bill would make kratom, meaning any parts of the plant <i>Mitragyna speciosa</i> , whether growing or not, and any compound, manufacture, salt, derivative, mixture, product, or preparation of the plant, including mitragynine and 7-hydroxymitragynine a Class A substance for purposes of establishing criminal penalties.
<b><u>Michigan</u></b> H.B. 4969, 2025-2026 Leg., Reg. Sess. (Mich. 2025)	This bill would establish the Kratom Consumer Protection and Regulatory Act to prohibit individuals from distributing, selling, or manufacturing a kratom product unless licensed to do so. The bill also prohibits the sale of kratom products to individuals under 21 years of age, requires testing of raw materials used in the manufacture of kratom products, and establishes labeling requirements.

<b><u>RECENTLY PROPOSED LEGISLATION</u></b>	
<b>State/Bill Number/Status</b>	<b>Description</b>
<b><u>Mississippi</u></b> H.B. 379, 2026 Leg., Reg. Sess. (Miss. 2026)	This bill would establish a screening and approval program within the Department of Health for over-the-counter availability and retail sale of products that contain any substance with the potential to be recreationally used or abused. The purpose of the program is to reduce the retail sales and availability of products that contain certain over-the-counter substances, including, but not limited to, bath salts, kratom, and tianeptine.
<b><u>Mississippi</u></b> S.B. 2355/H.B. 1121/S.B. 2214/H.B. 1122, 2025 Leg., Reg. Sess. (Miss. 2025)	This bill would add kratom to the list of Schedule III controlled substances.
<b><u>Missouri</u></b> S.B. 927, 103rd Gen. Assemb., 2nd Reg. Sess. (Mo. 2026)	This bill would prohibit the preparation, distribution, advertisement, sale, or offering for sale of a kratom product that: (1) is adulterated; (2) is sold to a person under 21 years of age; (3) contains a level of 7-hydroxymitragynine in the alkaloid fraction that is greater than two percent of the alkaloid composition of the product; (4) mimics candy or is appealing to children; or (5) is combustible or intended for vaporization. Kratom products shall contain specified labels that include disclaimers and shall be stored in retail locations in a manner that will not allow the products to be accessed by individuals under 21 years of age. A person who violates this provision will be deemed to have engaged in an unlawful practice in violation of the state's Merchandising Practices Act.
<b><u>Missouri</u></b> H.B.2652/H.B. 2894, 103rd Gen. Assemb., 2nd Reg. Sess. (Mo. 2026)	This bill would establish the Kratom Consumer Protection Act, which would prohibit: (1) the preparation, distribution, and sale of adulterated or contaminated kratom products; and (2) dealers from selling a kratom product to an individual under the age of 21.
<b><u>Missouri</u></b> H.B.2850, 103rd Gen. Assemb., 2nd Reg. Sess. (Mo. 2026)	This bill would establish the Kratom Consumer Protection Act, which would prohibit: (1) the preparation, distribution, and sale of adulterated or contaminated kratom products; and (2) dealers from selling a kratom product to an individual under the age of 18.
<b><u>Missouri</u></b> H.B. 2700, 103rd Gen. Assemb., 2nd Reg. Sess. (Mo. 2026)	This bill would establish manufacturing and labeling requirements for kratom products, including complying with Current Good Manufacturing Practices contained in 21 C.F.R. Part 210.

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<b><u>Missouri</u></b> H.B. 1614, 103rd Gen. Assemb., 2nd Reg. Sess. (Mo. 2026)	This bill would make 7-hydroxymitragynine concentrated at a level about 400 parts per million on a dry-weight basis a Schedule I controlled substance.
<b><u>Montana</u></b> H.B. 407, 2025 Leg., Reg. Sess. (Mont. 2025)	This bill would establish the Kratom Consumer Protection Act and would prohibit the sale of kratom products to individuals under the age of 21. It also requires kratom processors, distributors, and retailers to register annually with the Department of Revenue and establishes labeling requirements. Prohibits the sale and distribution of adulterated kratom products and those with a level of 7-hydroxymitragynine greater than two percent. Places a five percent excise tax on the wholesale selling price of all kratom products.
<b><u>Montana</u></b> H.J. 60, 2025 Leg., Reg. Sess. (Mont. 2025)	This joint resolution would require the establishment of a committee to investigate the effects of kratom use and consider the regulation of kratom in Montana.
<b><u>Montana</u></b> S.B. 60, 2025 Leg., Reg. Sess. (Mont. 2025)	This bill would establish the Kratom Consumer Protection Act and would prohibit the sale of kratom products to individuals under the age of 21. Prohibits the sale and distribution of adulterated kratom products and those with a level of 7-hydroxymitragynine greater than two percent.
<b><u>Nebraska</u></b> L.B. 431, 109th Leg., Reg. Sess. (Neb. 2025)	This bill would add added mitragynine and 7-hydroxymitragynine to the list of Schedule I controlled substances.
<b><u>Nevada</u></b> A.B. 322, 83rd Leg., Reg. Sess. (Nev. 2025)	This bill would amend NEV. REV. STAT. ANN. § 597.998 (West 2025) to revise the definition of “kratom product” to mean food containing any part of the leaf of the <i>Mitragyna Speciosa</i> plant. Adds a requirement for kratom products to be registered with the Division of Public and Behavioral Health.
<b><u>New Hampshire</u></b> S.B. 557, 2026 Leg., Reg. Sess. (N.H. 2026)	This bill would prohibit the sale of kratom products to anyone under 21 years of age. Prohibits the sale of kratom products that are adulterated. Establishes labeling requirements for kratom products.
<b><u>New York</u></b> S. 8814/A. 9472, 2025-2026 Leg., Reg. Sess. (N.Y. 2026)	This bill would renumber N.Y. PUB. HEALTH LAW § 1399-mmm and change the title of the section to “sale to distribution of kratom products to minors.” The bill would also modify the definition of kratom and add a definition for “kratom business.”
<b><u>New York</u></b> A. 9443/S. 8780, 2025-2026 Leg., Reg. Sess. (N.Y. 2026)	This bill would amend N.Y. GEN. BUS. LAW § 398-g to modify the definition of “kratom” and “all natural.” The bill would also add additional labeling requirements for kratom products.

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<b><u>New York</u></b> A. 9114/S. 8686, 2025-2026 Leg., Reg. Sess. (N.Y. 2025)	This bill would prohibit the sale, delivery, or manufacture of food or beverages containing kratom, 7-hydroxymitragynine, or any derivative thereof.
<b><u>New York</u></b> A. 8693/S. 8136, 2025-2026 Leg., Reg. Sess. (N.Y. 2025)	This bill would establish the Kratom Consumer Protection Act and would place limitations on kratom products, including limiting the amount of 7-hydroxymitragynine in products. The bill would also require kratom processors to register with the state and prohibits retailers from selling unregistered kratom products. Places a five percent excise tax on the sale of kratom products.
<b><u>New York</u></b> A. 4034/S. 7379, 2025-2026 Leg., Reg. Sess. (N.Y. 2025)	This bill would add kratom to the list of Schedule I controlled substances.
<b><u>North Carolina</u></b> H.B. 468, 2025 Gen. Assemb., Reg. Sess. (N.C. 2025)	This bill would prohibit the sale of kratom products to individuals under the age of 21. Requires that manufacturers have kratom products tested prior to distribution and requires all manufacturers and distributions to register all kratom products with the Alcohol Law Enforcement Division of the Department of Public Safety. Places certain advertising restrictions on manufacturers, distributors, and retailers of kratom products.
<b><u>North Carolina</u></b> H.B. 328, 2025 Gen. Assemb., Reg. Sess. (N.C. 2025)	This bill would add kratom to the list of Schedule VI controlled substances.
<b><u>North Dakota</u></b> H.B. 1101, 69th Leg. Assemb., Reg. Sess. (N.D. 2025)	This bill would add mitragynine to the list of Schedule I controlled substances.
<b><u>Ohio</u></b> H.B. 587/S.B. 299, 136th Leg., 2025-2026 Reg. Sess. (Ohio 2025)	This bill would require food processing establishments and retail food establishments to register kratom products with the Director of Agriculture. The bill also establishes specific standards and labeling requirements for kratom products. Prohibits the sale of kratom products to individuals under the age of 18.
<b><u>Oklahoma</u></b> S.B. 860, 60th Leg., 1st Sess. (Okla. 2025)	This bill would make any material, compound, mixture, extract, or preparation that contains a prohibited kratom product as defined by § 1-1432.4 a Schedule I controlled substance.

<b><u>RECENTLY PROPOSED LEGISLATION</u></b>	
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<b><u>Pennsylvania</u></b> S.B. 899, 2025-2026 Gen. Assemb., 2025 Sess. (Pa. 2025)	This bill would prohibit the sale or distribution of certain kratom products to minors. This bill would also make any material, compound, mixture or preparation that contains 7-hydroxymitragynine in a concentration equal to or exceeding two percent of the total alkaloid content or 1 milligram per recommended serving size, or any synthetic, semi-synthetic or chemically manipulated form of mitragynine, 7-hydroxymitragynine, mitragynine pseudoindoxyl or any other synthetic, semi-synthetic or chemically manipulated alkaloid, metabolite, derivative or analogue of the <i>Mitragyna speciosa</i> plant a Schedule I controlled substance.
<b><u>Pennsylvania</u></b> H.B. 2058, 2025-2026 Gen. Assemb., 2025 Sess. (Pa. 2025)	This bill would require kratom processors and retailers to register with the state. This bill also prohibits the sale of kratom products to individuals under the age of 21. Establishes specific standards and labeling requirements for kratom products.
<b><u>Pennsylvania</u></b> S.B. 233, 2025-2026 Gen. Assemb., 2025 Sess. (Pa. 2025)	This bill would prohibit the preparation, manufacture, sale, or distribution of unsafe kratom products. Prohibits the sale or distribution of kratom products to individuals younger than the age of 21.
<b><u>South Dakota</u></b> S.B. 77, 2026 Leg., Reg. Sess. (S.D. 2026)	This bill would repeal §§ 34-20B-115 and 34-20B-115.1 and add a new section that would make an individual who sells, distributes, purchases, consumes, or possesses kratom, a kratom product, or a product containing synthetic mitragynine or 7-hydroxymitragynine guilty of a Class 2 misdemeanor.
<b><u>Texas</u></b> H.B. 227/H.B. 291, 89th Leg., Reg. Sess. (Tex. 2025)	This bill would require kratom products to be tested by an accredited laboratory to determine (1) the concentration and identity of the alkaloids in the product and (2) the presence or quantity of heavy metals, pesticides, microbial contamination, and any other substances, prior to being sold at retail. This bill also prohibits the sale of prepackaged kratom beverages and prepackaged kratom food products. Additionally, this bill prohibits the sale of kratom products within 1,000 feet of a school. Increases the civil penalties for kratom-related violations. Adds kratom alkaloids, other than within kratom, as well as artificial or synthetic equivalents of the substances naturally created in <i>Mitragyna speciosa</i> to Penalty Group I for the purpose of criminal penalties.
<b><u>Texas</u></b> S.B. 1868, 89th Leg., Reg. Sess. (Tex. 2025)	This bill would add kratom and kratom products to Penalty Group 1 for the purpose of criminal penalties.

<b><u>RECENTLY PROPOSED LEGISLATION</u></b>	
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<b><u>Utah</u></b> S.B. 48, 66th Leg., 2026 Gen. Sess. (Utah. 2026)	This bill would schedule 7-hydroxymitragynine, including synthetics, in concentrations greater than four percent of the total kratom alkaloid composition of any substance or product a Schedule I controlled substance. This bill would also make mitragynine pseudoindoxyl a Schedule I controlled substance.
<b><u>Utah</u></b> S.B. 45, 66th Leg., 2026 Gen. Sess. (Utah. 2026)	The bill would repeal the Kratom Consumer Protection Act and schedule the alkaloids found in or derived from kratom as Schedule I controlled substances.
<b><u>Utah</u></b> S.B. 101, 66th Leg., 2026 Gen. Sess. (Utah. 2026)	This bill would apply a tax on kratom products that can be used for enforcement and other statutory required duties.
<b><u>Utah</u></b> H.B. 509, 66th Leg., 2025 Gen. Sess. (Utah. 2025)	This bill would add the phrase “compound kratom product” to the list of definitions in § 4-45-102. Adds two new sections to Utah’s kratom law, which would require compounded kratom products to be reviewed for human consumption safety before being sold in the state.
<b><u>Vermont</u></b> S.B 121/H.B. 416, 2025 Gen. Assemb., Reg. Sess. (Vt. 2025)	This bill would require the Department of Health to develop and maintain a registry for kratom products prepared, manufactured, sold, distributed, or maintained in the state. It further proposes labeling requirements for kratom products prepared, sold, delivered, or maintained in the state and enforcement standards for violations of the proposed provisions.
<b><u>Virginia</u></b> H.B. 442, 2026 Gen. Assemb., Reg. Sess. (Va. 2026)	This bill would direct the Virginia State Crime Commission, in consultation with the Board of Pharmacy, to conduct an analysis on the enforcement and regulation of <i>Mitragyna speciosa</i> . The Commission shall determine: (1) the status of kratom enforcement and regulation at the federal level; (2) whether states regulate kratom through criminalization or consumer protection laws; (3) the penalties, if any, associated with violations of state law related to kratom, including individual possession and retail sales; (4) any other information it deems relevant to kratom enforcement and regulation in the Commonwealth; and (5) any recommendations for changes to existing laws related to the enforcement or regulation of kratom. Lastly, the bill requires the Commission to submit an executive summary and report of its findings and recommendations to the Governor and the General Assembly by December 1, 2026.

<b><u>RECENTLY PROPOSED LEGISLATION</u></b>	
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<b><a href="#"><u>Virginia</u></a></b> H.B. 738, 2026 Gen. Assemb., Reg. Sess. (Va. 2026)	This bill would prohibit the selling or offering for sale of: (1) any kratom product containing any synthesized material, semi-synthetic alkaloid, or synthetic kratom-like compound; (2) any kratom product containing 7-hydroxymitragynine in an alkaloid fraction exceeding two percent of total alkaloids in the container or providing more than one milligram of 7-hydroxymitragynine per serving; (3) any kratom product adulterated with any dangerous, poisonous, or otherwise deleterious non-kratom ingredient, including any substance listed as a controlled substance under state or federal law; (4) any kratom product that is combustible or intended for vaporization or injection; (5) any kratom product that is manufactured, packaged, or marketed in a manner attractive to children; or (6) any kratom extract product containing residual solvent levels exceeding applicable statutory or pharmacopeial limits.
<b><a href="#"><u>Virginia</u></a></b> H.B. 360, 2026 Gen. Assemb., Reg. Sess. (Va. 2026)	This bill would repeal the kratom provision in §59.1-200 and replace it with a separate provision that would prohibit the sale of kratom products to individuals under the age of 21. The bill would also require retailers to provide ingredient and warning labels for kratom products and to store such products in an area that is not directly accessible to consumers.
<b><a href="#"><u>Virginia</u></a></b> H.B. 875, 2026 Gen. Assemb., Reg. Sess. (Va. 2026)	This bill would make any individual who knowingly manufactures, sells, gives, distributes, or possesses with the intent to manufacture, sell, give, or distribute kratom that is intended for human consumption guilty of a Class 1 misdemeanor.
<b><a href="#"><u>Washington</u></a></b> H.B. 2291, 69th Leg., 2026 Reg. Sess. (Wash. 2026)	This bill would establish the Kratom Consumer Protection Act. Establishes a licensing requirement for kratom processors and retailers. Prohibits the sale of kratom products to individuals under the age of 21. The bill also implements kratom product labeling and processing requirements.

## ABOUT THE LEGISLATIVE ANALYSIS AND PUBLIC POLICY ASSOCIATION

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