

HCS HB 912 -- KRATOM CONSUMER PROTECTION ACT

SPONSOR: Christofanelli

COMMITTEE ACTION: Voted "Do Pass with HCS" by the Standing Committee on Emerging Issues by a vote of 9 to 5.

This bill establishes the "Kratom Consumer Protection Act", which requires dealers who prepare, distribute, sell, or expose for sale kratom, as defined in the bill, to disclose on the factual basis on which this representation is made. A dealer is prohibited from preparing, distributing, selling, or exposing for sale kratom that does not conform to these labeling requirements.

The General Assembly preempts the entire field of regulating kratom to the exclusion of any order, ordinance, or regulation of any political subdivision of the state. Any existing orders, ordinances, or regulations of any political subdivision of the state relating to kratom are void under this bill.

A dealer may not prepare, distribute, sell, or expose for sale kratom that is adulterated or contaminated with a dangerous non-kratom substance, contains a level of 7-hydroxymitragynine in the alkaloid fraction that is greater than 2% composition of the product, contains any synthetic alkaloids, or does not include on its package or label the amount of mitragynine, 7-hydroxymitragynine, or other synthetically derived compounds of the plant *Mitragyna speciosa*. A dealer may not distribute, sell, or expose for sale kratom to anyone under 18 years of age.

The bill specifies penalties for a violation of these requirements and allows for a person who is aggrieved by a violation of the labeling requirements to bring a cause of action for damages resulting from the violation.

This bill is similar to HB 1667 (2022).

The following is a summary of the public testimony from the committee hearing. The testimony was based on the introduced version of the bill.

PROPOSERS: Supporters say that kratom is a supplement product currently sold in Missouri. It is not a federally scheduled drug, but there are some bad actors in the marketplace adulterating the product. Currently there are no laws for the regulation of kratom or preventing the sale of kratom to minors. This bill is an important piece of consumer protection legislation. There are over 15,000,000 kratom consumers across the United States. This bill will clean up the marketplace and protect consumers. It is

important for states to step into a blind spot of regulation and provide for consumer protection as it relates to the sale and use of kratom.

Testifying in person for the bill were Representative Christofanelli; and Mac Haddow, American Kratom Association.

OPPONENTS: There was no opposition voiced to the committee.

Written testimony has been submitted for this bill. The full written testimony and witnesses testifying online can be found under Testimony on the bill page on the House website.