

**TESTIMONY ON SUPPORT OF SB 1005-3**  
**THE KRATOM CONSUMER PROTECTION ACT**

Mr. Chairman and members of the Committee.

My name is C.M. Haddow, the Senior Fellow on Public Policy of the American Kratom Association. The AKA represents the more than 5 million kratom consumers in the United States. We appreciate the opportunity to provide this statement on kratom today.

I am speaking today in support of SB 1005-3 that contains language we refer to as "The Kratom Consumer Protection Act" that would help to ensure that consumers have access pure kratom products that have shown tremendous promise for those acute and chronic pain management patients who choose to avoid the use of chemically formulated prescription drug products.

This plant has become controversial because unscrupulous vendors started to spike the natural plant with dangerous substances like heroin and fentanyl – and that has led to as many as 44 deaths accorded to the Food and Drug Administration (FDA).

Based on the mistaken belief that it was kratom that was dangerous – before the evidence was produced that it was actually adulterated kratom that was the cause of the deaths – 6 states moved to ban kratom, and then the DEA moved to classify kratom as a Schedule I drug in 2016.

A bipartisan group of 51 members of Congress and 13 members the US Senate, including Senator Ron Wyden, wrote to oppose the DEA's scheduling recommendation of kratom calling it an improper expansion of executive agency authority.

When the FDA claims were investigated by the National Institutes on Drug Abuse (NIDA), they concluded the 44 deaths were actually the result of polydrug use or the ingestion of **adulterated kratom products laced with toxic concentrations of dangerous drugs.**

Two new animal studies, one by the National Institute on Drug Abuse (NIDA), and the other by a group of independent scientists, that were published in June & July of 2018, directly refute the claim that kratom is dangerously addictive or that it has the same effects as classic opioids.

American consumers are caught in the middle of the attempt by the federal government to expand its regulatory authority over natural botanicals and dietary ingredients, and unscrupulous bad-actors are selling adulterated kratom products today, including here in Oregon.

The Kratom Consumer Protection Act will protect Oregon consumers from adulterated kratom products and require labeling that allows consumers to know exactly what is in any kratom product they purchase here in Oregon. The bill also bans the sale of kratom products to anyone under the age of 21.

The Kratom Consumer Protection Act, that protects consumers from adulterated kratom, is now being considered by a dozen states currently -- and more are being added to that list every week. In Utah, this legislation was passed and signed by the Governor on March 26, 2019 and is now law.

Last week, the Georgia Legislature passed their version of this legislation on a vote of 164-1 in the House, and a 50-0 vote in the Senate, and it is now being enrolled for the signature of the Governor there.

The Arizona Senate Appropriations Committee approved their version of this legislation on a 9-9 vote and sent it to the full Senate. In Nevada the House Health Committee held their hearing on Wednesday and no opposition was presented during the Hearing.

Other states are also acting on their own versions of this legislation:

Utah	SB 58 was passed by the Senate on a 24-1 vote, passed by the House, and then was signed by the Governor on March 26, 2019.
Georgia	HB 551 was passed by the House on a 164-1 vote; passed by the Senate on a 50-0 vote, and has now is being prepared for the Governor's signature.
Arkansas	The Arkansas Governor's Office issued a specific request to the Department of Health to meet with the lead kratom scientist, Jack Henningfield, Ph.D. to consider the request to withdraw the current ban on kratom.
Rhode Island	Rhode Island, a state that currently has a ban on kratom issued by the Department of Health in response to the FDA's attacks on kratom, is considering the Kratom Consumer Protection Act filed by Speaker Pro Tempore Brian Patrick Kennedy, and the first Hearing was held last week in the House Health Committee.
Wisconsin	In Wisconsin, another state that has banned kratom, the Kratom Consumer Protection Act has been drafted and will be filed in both the House and the Senate in the next week.
Ohio	The Ohio Board of Pharmacy has placed a recommendation to ban kratom to the Ohio Legislature for review, and the Kratom Consumer Protection Act will be filed as a substitute to that recommendation.
Michigan	The Kratom Consumer Protection Act was filed in the Michigan Legislature in November 2018, and a refiling is expected soon.
Missouri	The Kratom Consumer Protection Act has been filed and is awaiting its first hearing.
Kansas	The Kratom Consumer Protection Act has been filed and is awaiting its first hearing.
Idaho	The Kratom Consumer Protection Act has been filed and is awaiting its first hearing.

The right policy on kratom is to stop the dangerous adulteration and allow consumers to safely use pure kratom products. Oregon should be the next state to pass this legislation.