

Good morning, Chairman Patten and members of the Senate Energy and Natural Resources Committee. My name is Matthew Lowe and I am the Executive Director for the Global Kratom Coalition, an alliance of consumers, experts, and industry leaders seeking to enact regulations to ensure consumers have access to safe and regulated kratom products. I am submitting this testimony through our lobbyist Alexander Kelsch, an attorney with the Kelsch, Ruff, Kranda, Nagle & Ludwig law firm in Mandan.

I, and members of the Global Kratom Coalition, urge the Committee to amend HB 1566 from its current form as a legislative study to enact meaningful, commonsense regulations on North Dakota's kratom industry ensuring consumers access to safe, regulated products. With the rise of dangerous synthetic products and high content 7OH products, regulation is the most effective approach and will best ensure the safety of North Dakota consumers whilst maintaining access to reconcile kratom users.

Kratom is a botanical substance from Southeast Asia with centuries of traditional safe use, and at least 50 years of use in the US. Today, 24 million people in the U.S. report consuming kratom for mood enhancement, energy and general wellness. With its popularity, there is naturally increased attention from lawmakers about its potential benefits as well as drawbacks.

Currently, 14 states in the U.S. have passed legislation to regulate products and only 6 states prohibit kratom. There has not been a new kratom ban in the US since 2017 as the science that has developed since then does not support the ban of this botanical. FDA itself has publicly stated that they have no evidence to suggest that kratom is dangerous.

The reason for much of the confusion, conflation, and misinformation that dominates news about kratom is that there is very little understanding that not all kratom is the same. Critically, all products derived from kratom - including leaf material, extracts, concentrates, and isolates - are called "kratom" without consideration of the inherent differences in potency of these product types.

The products causing the greatest concern are synthetically produced, high concentrate 7-hydroxymitragynine (7OH) isolate products, known as 7. 7OH is not found in fresh kratom leaves and is only found in concentrations of 0.002-0.04% in dried kratom leaves, as a by-product of post-harvest processing. Therefore, 7OH has not been consumed in pharmacologically meaningful amounts as part of a kratom product. Until recently, 7OH has not been consumed as an isolated ingredient by humans, so there is no published clinical data that supports the safe use of 7OH as a supplement to the daily diet and no history of human use except at the low levels found in dried kratom leaf products.

In light of the presence of these dangerous, adulterated products, The Global Kratom Coalition views the regulations in this amendment as critical to maintaining a safe and trustworthy market for consumers. These regulations provide consumer protections, eliminate dangerous synthetic

and manipulated products, and maintain access to a botanical that most of the 24 million kratom consumers in the U.S. are using in a responsible and safe manner. In conclusion, we, the Global Kratom Coalition, urge the Legislature move the amended HB 1566 out of study form and provide North Dakota consumers with a practical regulatory solution.

The Global Kratom Coalition is ready to work with this Committee, the bill sponsors, and other interested parties to create amendments that would accomplish these meaningful and commonsense regulations for the kratom industry.

Again, I thank the Committee for their time.