

TESTIMONY OF

Sherry Adams, State Health Officer

Chairman Ruby, Chairman Klein, members of the committee,

Good afternoon. My name is Sherry Adams, and I serve as the State Health Officer for the State of North Dakota. Thank you for the opportunity to appear before you today regarding Senate Bill 2408 and House Bill 1628.

I am in support of Governor Armstrong's Executive Order 2026-04 and its total ban on all kratom products. The Governor's executive order identifies an important concern facing our state: kratom products have been widely available in North Dakota without age restrictions or a comprehensive regulatory system.

Kratom contains psychoactive compounds, including mitragynine and 7-hydroxymitragynine, commonly referred to as 7-OH. The state has already taken emergency action to classify 7-OH as a Schedule I controlled substance, while the federal government has also moved toward temporary Schedule I treatment of 7-OH and related synthetic substances. The fact that both North Dakota and federal authorities have independently identified an immediate concern with these concentrated substances should not be ignored.

The health concerns associated with kratom are not limited to addiction. The Governor's order cites warnings from the U.S. Food and Drug Administration concerning serious adverse events associated with kratom products, including liver toxicity, seizures, and substance use disorder. The FDA has also reported cases of neonatal abstinence syndrome involving infants who were exposed to kratom before birth.

Banning only synthetic kratom products will not fully address the problem. A consumer may see the word "kratom" on a package and assume that the product is simply a traditional plant-based product. That assumption can be dangerously misleading when products contain highly concentrated or chemically modified compounds. In addition, some products may not clearly disclose all of their ingredients, making it difficult for consumers to understand what they are purchasing or the risks associated with those products.

For these reasons, I respectfully ask the Legislature to enact a clear statutory prohibition that protects North Dakotans from these products. Thank you for your time and consideration. I am happy to answer any questions.