

Chairman and members of the committee,

My name is Sharlet Mohr. I am a lifelong resident of North Dakota. I am asking You to please amend this bill to make all Kratom products illegal in North Dakota. I like most of you didn't even know what Kratom was, and then I watched my friend, Amber bury her son. Amber lost her son on May 25nd. The day after her daughter graduated.

It was at that point when I learned what this product was. I hit the ground running doing everything I could to spread the message. Amber asked me to speak out for her and Aaron. That is why I am here and why Carla and I have traveled all over our state attending meetings to bring awareness.

We were met with pushbacks and open arms. I can explain more if you ask.

Aaron's death was not a survey response, an industry talking point, or an unfortunate statistic. His autopsy and toxicology identified kratom compounds, including mitragynine and 7-hydroxymitragynine. His family gave me permission to speak for him because he can no longer speak for himself.

Before you hear from paid industry representatives, I want to address what you are likely going to be told.

You will hear that kratom is natural. Natural does not mean safe. Opium is natural. Tobacco is natural. Many poisons are natural. The source of a substance does not determine whether it can cause dependence, withdrawal, organ damage, seizures, intoxication, or death.

You will hear the words "pure kratom." But "pure kratom" is largely a marketing term unless the speaker identifies the exact product, dose, alkaloid profile, manufacturing process, and contaminant testing. Even natural kratom contains multiple active alkaloids, including mitragynine and trace amounts of 7-OH. The product sold at a gas station is not automatically the same product researchers administered under controlled laboratory conditions.

You will also hear that kratom has been tested in human trials. That statement is technically true, but dangerously incomplete.

The human trials have been small, short-term, and conducted with carefully manufactured products, selected participants, controlled doses, and medical supervision. One randomized trial administered single doses of botanical kratom to only 30 participants. Researchers documented opioid-like pupil constriction, nausea, vomiting, sleepiness, and, at the highest dose, reports of feeling high and "drug liking." Another study involved only 49 participants who actually received dried kratom leaf.

Those studies did not examine years of daily use. They did not establish safety for children, pregnant women, people with liver or heart conditions, or people taking other drugs. They did not prove that kratom safely treats pain, anxiety, addiction, or opioid withdrawal. They did not test every powder, capsule, extract, gummy, or drink sold in North Dakota.

“Tested in humans” does not mean “proven safe and effective.”

The FDA has not approved any kratom product to treat any medical condition. If an industry representative claims that kratom treats pain, addiction, or opioid withdrawal, then he is making a medical claim without the level of clinical evidence required of an approved medicine.

You may also hear that only concentrated or synthetic 7-OH is dangerous and that natural kratom should be protected. I agree that concentrated 7-OH products present an urgent danger, but that does not prove ordinary kratom is harmless. Mitragynine acts on opioid receptors, and the human body can metabolize mitragynine into 7-OH. Drawing an industry-approved line between “good kratom” and “bad kratom” does not eliminate the opioid activity, product variability, dependence, or lack of long-term safety evidence.

This committee should be especially cautious about accepting an industry-written percentage as a guarantee of safety. A percentage alone does not tell you the total amount consumed, the serving size, how many servings a person takes, or whether the label is accurate. Without independent testing, enforcement, batch tracking, penalties, and adequate funding, a threshold printed in law may create the appearance of protection without protecting anyone.

Then there is the money.

The American Kratom Association is not a small group of concerned North Dakota citizens. Its 2024 IRS Form 990 reported approximately \$4.7 million in revenue, all reported as contributions. Its tax filings also document substantial spending on consultants, lobbying, legal work, and public relations. Mac Haddow is associated with Upstream Consulting and serves as the American Kratom Association’s senior public-policy representative.

That does not automatically make everything he says false. It does mean the committee should clearly understand who is paying for the message and whose financial interests are represented.

Mr. Haddow does not live in North Dakota. The national organizations and commercial interests pushing continued access will not answer the emergency call, sit beside a hospital bed, help someone through withdrawal, or stand beside a North Dakota family at a funeral.

Amber will.

Please do not allow the threat of litigation to replace your independent judgment. Anyone can threaten to sue. A threat is not a court ruling, and it is not scientific evidence that a product is safe. Your responsibility is to adopt lawful, carefully written protections based on evidence and the public interest, not to surrender because a national advocacy organization might object.

People who currently use kratom deserve compassion. Those who have developed dependence deserve treatment, not shame. But compassion for users does not require us to protect an unapproved and inadequately studied commercial product. We can support people without protecting the industry selling it.

I am asking you to reject industry-written loopholes, prohibit concentrated and enhanced 7-OH products, and stop the commercial sale of kratom products unless and until standardized products, enforceable testing, accurate labeling, long-term safety evidence, and proven medical claims exist. At the very least, no product should remain on North Dakota shelves simply because a paid lobbyist calls it “natural,” “pure,” or “safe.”

Finally, I often remind elected officials of one simple fact: you work for the people. When you cast a vote, you are not acting as a private citizen and representing only your personal preference. You represent every person in the district that elected you.

Your vote should reflect the safety, needs, and voices of your constituents, not the demands of paid lobbyists or organizations that do not live in North Dakota.

When the hearing ends, the lobbyists will board a plane and go home.

We will still be here. Amber will still be here. And Aaron will still be gone.

Please remember who gave you that seat, who you answer to, and who you were elected to protect.

Please... Listen to the people of North Dakota.