

Dear Chairperson and Members of the Committee,

I am writing to express my opposition to House Bill 1101, which seeks to schedule mitragynine as a schedule I controlled substance. I request the Committee consider the abundance of scientific literature related to mitragynine and kratom before removing such botanical from the marketplace.

In the past years, countless studies have come out showing the safety and efficacy of kratom. In fact, in the last year the U.S. Food and Drug Administration published the first leg of their human clinical trial on kratom that showed it is both effective and well tolerated in human populations. In the fall of 2024, there were U.S. Congressional hearings on kratom with presentations by scientists from the University of Florida, Johns Hopkins University and the Ohio State University as well as those affiliated with the National Institute on Drug Abuse all showing data on how safe and useful kratom can be in reasonable doses.

No state has scheduled or banned kratom since the FDA's failed attempt to schedule the botanical in 2014. Many states have seen the benefit of regulating this botanical to be sure consumers have safe and informed access to these products. Scheduling or banning kratom does not have the desired effect of keeping the botanical out of market. It will simply keep good market participants from selling tested, safe, compliant and properly labeled products. Compliant market participants desire to comply with state and federal laws and banning this botanical in North Dakota will keep them out while bad market actors who do not care about consumer safety or safe products will continue to break the law like they are already doing.

There is no question kratom is safe when used responsibly. I implore you to consider delaying passage of this bill to consider a scientific and regulatory framework of such botanical that protects consumers and provides a legislative and regulatory mechanism to keep black market products out. Regulation will help consumers have access to this safe and effective botanical while being sure they understand what they are getting in their product.

Thank you for your time and consideration. I would be more than happy and welcome the opportunity to discuss this matter further if the opportunity were appropriate.

Kind Regards,

Andrew Kulpa