

North Dakota State Senate
600 East Boulevard Avenue
Bismarck, ND 58505

Dear Members of the North Dakota State Senate,

My name is Jennifer Brandt, and I am writing to you as a licensed pharmacist with over two decades of experience, having worked on the frontlines of the opioid epidemic. I have counseled grieving families, supported those impacted by addiction, and witnessed firsthand the devastation caused by dangerous, unregulated substances.

I urge you to take bold and compassionate action by supporting legislation to classify kratom as a Schedule I controlled substance in North Dakota. Kratom is not a harmless herbal supplement—it is a public health threat with opioid-like properties and life-threatening risks.

The Facts Are Clear and Growing More Concerning:

The dangers of kratom, particularly its active compound mitragynine, continue to be evident in recent data

- *1,391 safety reports* have been filed with the FDA Adverse Event Reporting System concerning mitragynine (kratom's primary alkaloid).
- *Drug abuse, drug interactions, and death* top the list of these reports, emphasizing the severity of the risks.
- Poison control centers received *1,489 emergency calls* related to kratom exposure in 2023 alone—1,489 moments where lives were in crisis. This does not include the hundreds of providers asking how to treat mitragynine withdrawal.
- The CDC reported *1151 overdose deaths* where kratom was detected in postmortem toxicology in the United States in 2023, indicating a growing national crisis.
- Documented adverse effects include *seizures, liver damage, heart failure, respiratory depression, and death*.

These figures represent real people and shattered families—devastating losses that could have been prevented with stronger regulation.

Kratom Is an Opioid-Like Substance with Deadly Risks

Despite being marketed as a “natural” alternative, kratom affects the brain similarly to heroin and fentanyl, binding to opioid receptors and carrying significant health risks:

- *Severe withdrawal symptoms* similar to those seen with opioids.
- *Respiratory failure* at high doses or in combination with other substances.
- *Lethal outcomes*, particularly when mixed with other medications.

Yet, kratom is still sold in bright, candy-like packaging with no warnings about its addictive properties or lethal risks—packaged to attract young people with reckless marketing tactics.

The FDA's Hands Are Tied Without State Action

The FDA has taken steps to control kratom, including issuing Import Alert 54-15, restricting its import due to health risks. However, the FDA cannot ban kratom outright because it was never approved as a safe substance under federal law and unlike prescription drugs, no

manufacturers have submitted a new drug application for mitragynine. Regulatory loopholes continue to allow it to remain widely available, despite clear evidence of harm.

This Is About Public Safety, Not Limiting Personal Freedom of the 2 Million Users in the United States.

No family should have to bury a loved one due to misinformation and deceptive marketing. The goal is not to restrict freedom for the 0.6% of the US population using kratom but to prevent avoidable deaths and protect public health.

You Have the Power to Act Now

As elected officials, you have a profound responsibility to protect the citizens of North Dakota. I urge you to support legislation that classifies kratom and its active compound, mitragynine, as a Schedule I controlled substance. This action would

- Prevent further avoidable deaths and overdoses.
- Reduce drug abuse and dangerous drug interactions.
- Protect young people from targeted, deceptive marketing practices.

*One more preventable death is too many.
One more shattered family is too many.*

For more information, I encourage you to explore the work of Kratom Danger Awareness, founded by a mother who lost her son to kratom. Her tireless efforts remind us all of the urgency of this issue.

Please stand with families across North Dakota. Lead with courage. Protect our children. Protect our communities. Support the classification of kratom as a Schedule I controlled substance today.

Sincerely,
Jennifer Brandt