

12 January 2025

North Dakota House Judiciary Committee Testimony - Global Kratom Coalition Opposes HB 1101

Dear Members of the House Judiciary Committee,

My name is Matthew Lowe. I am the Executive Director of the Global Kratom Coalition, an alliance of consumers, experts, and industry leaders seeking safe and regulated kratom products. Our mission is to advance scientific research, encourage consumer education, and serve as a resource for key stakeholders and decision makers in legislative and regulatory matters.

I, and members of the Global Kratom Coalition, respectfully oppose HB 1101 which would schedule mitragynine as a controlled substance in the state of North Dakota.

Kratom is a botanical substance from Southeast Asia with centuries of safe, traditional use that's grown in popularity in recent years. 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, 13 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.

We agree that legislative action needs to be taken, however we support implementing laws that establish age limits, good manufacturing practices, serving size guidelines, clear product labeling and the restriction of synthetics or manipulated products. The Global Kratom Coalition views these measures as critical to maintaining a safe and trustworthy market for consumers. This view is ratified by the leading kratom scientists in the USA in an April 2024 statement titled "Statement on the science of kratom products and their US regulation".

However, we oppose outright bans on kratom at the local and state level. Based on the evidence of other banned substances, we believe this prohibitive action will only drive the market underground and create a prolific black market. In the absence of available products, consumers will switch to different, potentially more dangerous products. Lastly, the good actors in the industry who respect the law will leave the state, and only those actors who do not follow the law will remain. Together these actions will result in an unsafe environment and the need for significant and costly enforcement from authorities.

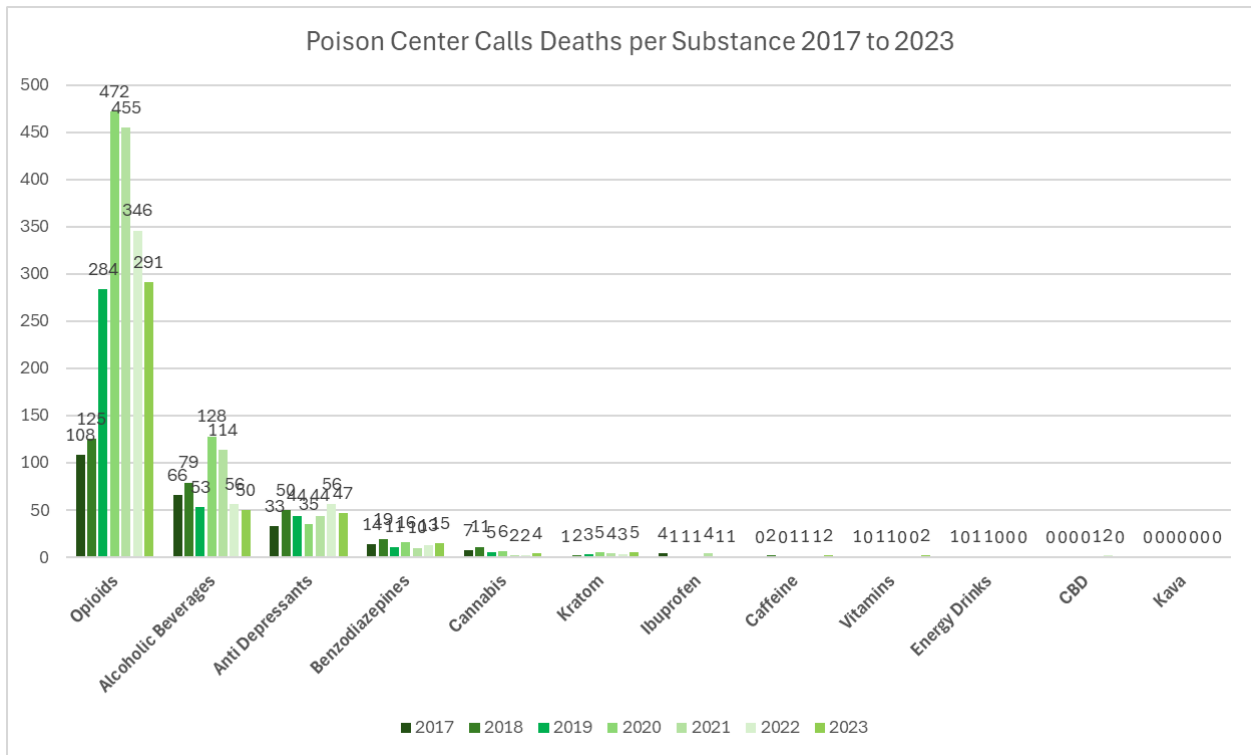
Kratom Research

There is simply too little evidence of adverse impacts of kratom to warrant a ban. In fact, U.S. government data from Poison Control Centers on multiple substances to which kratom is often

compared, demonstrates the relative harm of legal substances compared to kratom. Research – based on consumer insights and scientific academic data - is also revealing the enormous promise of this botanical substance.

Chart 1.

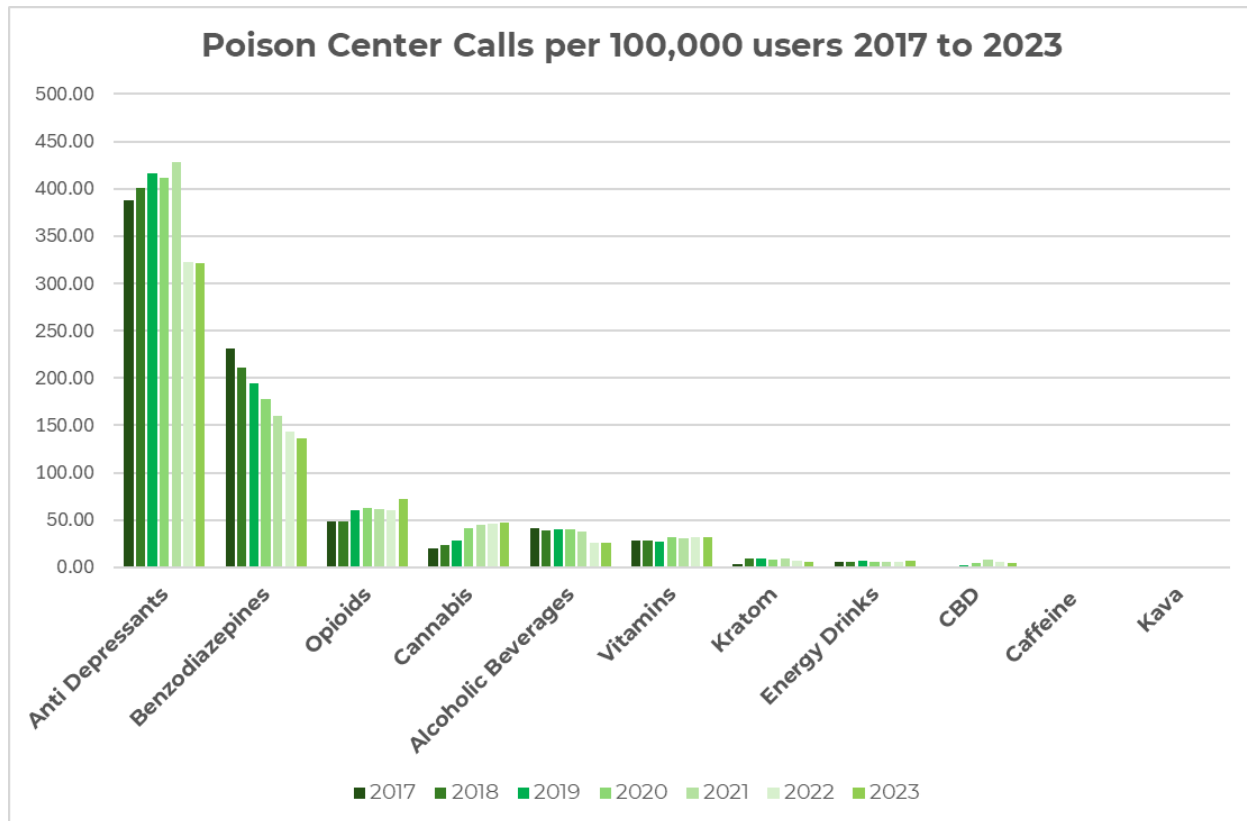
Last week, on January 3, 2024, the U.S. Poison Control Center released data which illustrates the relative risk of kratom compared to other misused substances. As the table below shows, the relative safety of kratom is more akin to energy drinks and caffeine. Scheduled substances like opioids, show a much greater rate of reported calls.



David D. Gummin, James B. Mowry, Michael C. Beuhler, Daniel A. Spyker, Laura J. Rivers, Ryan Feldman, Kaitlyn Brown, Nathaniel P.T. Pham, Alvin C. Bronstein & Carol DesLauriers (17 Dec 2024): [2023 Annual Report of the National Poison Data System® \(NPDS\) from America's Poison Centers®: 41st Annual Report. Clinical Toxicology](#). DOI: 10.1080/15563650.2024.2412423

Chart 2.

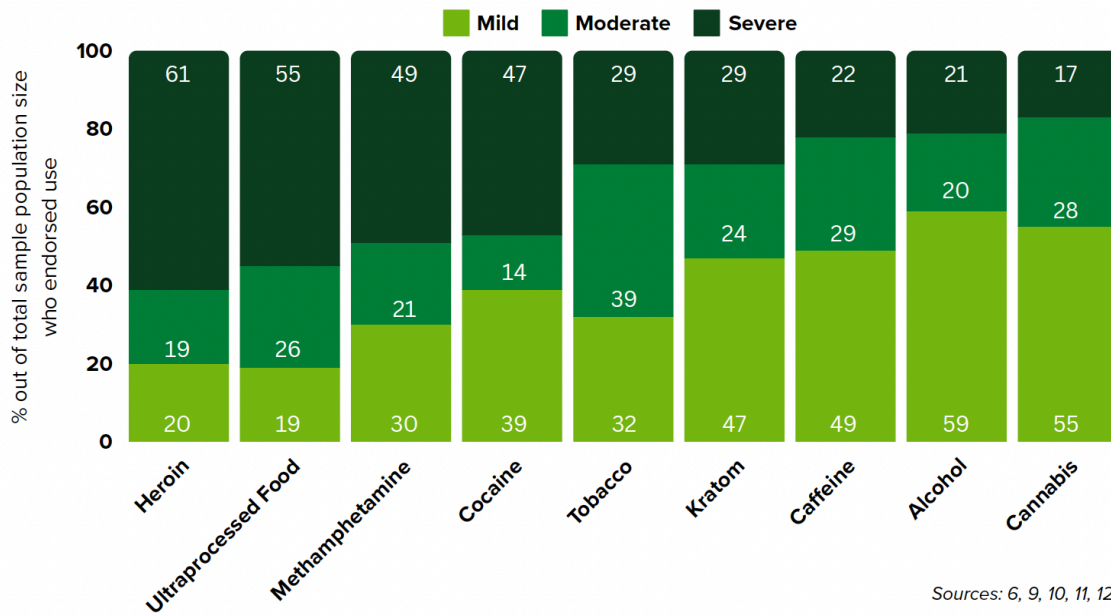
For a fair comparison, when the Poison Control Calls are normalized per 100,000 users, the data shows standardized view of the relative risk of kratom across different time periods and proportional risk compared to other substances. Kratom was shown to be far below prescription medications, cannabis, alcohol and even vitamins and more in line with energy drinks.



David D. Gummin, James B. Mowry, Michael C. Beuhler, Daniel A. Spyker, Laura J. Rivers, Ryan Feldman, Kaitlyn Brown, Nathaniel P.T. Pham, Alvin C. Bronstein & Carol DesLauriers (17 Dec 2024): [2023 Annual Report of the National Poison Data System® \(NPDS\) from America's Poison Centers®: 41st Annual Report. Clinical Toxicology](#). DOI: 10.1080/15563650.2024.2412423

Chart 3.

According to a meta-analysis of data from the U.S. Department of Health and Human Services and peer-reviewed academic scientific journals regarding Substance Use Disorder, kratom is shown to be habit forming. However the severity of Kratom Use Disorder is mostly mild to moderate. This shows that whilst kratom can be habit forming, its use disorder profile is similar to caffeine which is legally consumed worldwide and is known for its mild addiction profile.



Global Kratom Coalition, [“Comprehensive Report on Substance Use Disorders: Prevalence, Severity and Symptom Endorsement”](#), August 2024

To be certain, more research can and will be done regarding kratom, and regulations would benefit consumers, but science and long-term history of safe use in South East Asia and in the U.S. do not merit a blanket ban.

Regulations Address Areas of Caution

Regulations are a better alternative by providing consumer protections, eliminating dangerous synthetic and manipulated products, whilst maintaining access to a botanical that most of the 24 million people in the U.S. are using in a responsible and safe manner.

A critical part of the legislative process is to ensure decision makers have the science and data in order to make an informed decision. A foremost concern with kratom is the fact that not all kratom is equal. For example, synthetic products that contain high levels of 7-hydroxymitragynine (7OH) and other unknown new chemical entities. These products, known as "7," contain over 100 times more 7OH than natural kratom and lack the full spectrum of kratom's other alkaloids. Also, the synthetic process introduces at least eight unidentified chemical compounds. These products should be properly prohibited as unapproved new drugs, distinct from natural kratom which is a dietary ingredient.

Call for North Dakota to Pause on Kratom Legislation

Today, we urge the North Dakota House to pause on a decision on any legislative action involving kratom. We believe this legislative body owes it to the thousands of kratom consumers who live in North Dakota to give the scientific, advocacy, and consumer stakeholders the opportunity to share information and personal insights about kratom.

I thank the North Dakota House Judiciary Committee for their concern for the state's residents. I would welcome the opportunity to bring additional scientific studies, factual reports, and expert witnesses to your attention. I look forward to serving as a resource in the near and long term.

Best regards,

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Matthew Lowe
Executive Director
Global Kratom Coalition