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Landmark Bipartisan Bill Regulating Kratom in the United States Introduced in Congress

Bill will ensure consumers have continued access to safe, regulated kratom products

Washington, D.C. (December 21, 2022) – The bipartisan, bicameral Protect Access to Kratom legislation was introduced in the United States Senate yesterday by U.S. Senators Mike Lee (R-UT) and Cory Booker (D-NJ), and in the US House of Representatives by Congressmen Mark Pocan (D-WI). S.5316 and H.R.9634 will provide needed federal protections for kratom consumers from adulterated products, and to empower consumers to make their own informed choices on kratom products that help them with their health and well-being.

Kratom is a plant that has been used safely for centuries in Southeast Asia and in the United States since the early 1970s. In the last decade kratom consumers have increased significantly where there are now millions of Americans who report responsibly using kratom for a variety of health and wellness purposes, including for an energy boost, increased focus, reducing anxiety, and as a personal harm reduction tool for managing acute and chronic pain.

Proactive consumer protection regulation on a state level has picked up momentum recently – seven states have passed a version of the Kratom Consumer Protect Act. While these laws have been critical in protecting consumers in these states, this federal legislation will provide clear policy across the country for those who produce, distribute, and consume safe kratom products.

“The introduction of this legislation is a landmark victory for kratom consumers across the country. Research has shown kratom to have significantly less potential for harm than substances with a much higher safety and addiction profile and the responsible regulation of kratom products will open the door for continued research. We encourage the swift passage of this bill so that the millions of people who consume kratom every year will have these important protections in place,” said Mac Haddow, Senior Fellow on Public Policy at the American Kratom Association (AKA).

Kratom has a complicated regulatory history in America. In 2016, the U.S. Drug Enforcement Administration announced their intentions to classify kratom as a Schedule I substance based on FDA

recommendations. However, that was rescinded by the DEA following concerns raised by scientists, policymakers, and advocates. In 2018, the Department of Health and Human Services formally withdrew a second FDA scheduling recommendation for kratom citing “the relative lack of evidence, combined with unknown and substantial risk to public health if these chemicals were scheduled at this time.” (*Giroir withdrawal letter, August 16, 2018*)

In 2021, the World Health Organization Expert Committee on Drug Dependence, comprised of 12 independent scientists from around the globe, reviewed all of the evidence available on kratom and unanimously determined it did not meet the criteria for international scheduling.

“I have heard countless stories of the benefits of kratom experienced by consumers across the country, including veterans, law enforcement officials, and everyday Americans who credit kratom with saving their lives. This legislation that we introduced today will be life-changing for these Americans. The FDA needs to fulfill its duty to protect consumers, not abuse their powers in ways the Congress never intended,” said Sen. Mike Lee.

Kratom products being standardized and free from adulteration will also be critical for ongoing research. The potential for kratom to be used as a harm reduction tool is actively being explored and was [referenced by Dr. Nora Volkow](#), Director of the National Institute on Drug Abuse, during a U.S. Senate Committee on Appropriations hearing in May. [Research published earlier this year](#) found that kratom has a significantly lower potential for abuse than opioids. The University of Florida is also [currently conducting research](#) to explore the potential of kratom being a tool that can help to wean off opioid medications.

"Kratom can be a harm reduction tool for those struggling with opioid dependency across the country – it doesn't belong in our broken drug scheduling system. This legislation will prevent the criminalization of kratom consumers and distributors while promising scientific research is conducted," said Congressman Mark Pocan.

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About the American Kratom Association

The American Kratom Association (AKA), a consumer-based non-profit organization, gives a voice to the millions of Americans who safely consume kratom each year. Please visit KratomAnswers.org for further details on kratom science and regulation.