

CRE Position Statement on Kratom

CRE would issue the following statement if DEA did not issue a final order on kratom.

DEA Has Acted Responsibly on Kratom: The Kratom Community Should Reciprocate

Several weeks ago the Drug Enforcement Administration (DEA) moved to institute a ban on kratom. Kratom is a herbal product that has been in use for decades, if not centuries. It is sold legally in both Canada and Mexico. As a result of a considerable outpouring of support for kratom by the American public the DEA continues to review its strategy for dealing with kratom prior to instituting a ban.

Concurrent with the DEA review the kratom community should initiate a forward looking strategy which will address the issues under review by the DEA. More specifically, the kratom community should present a Petition for Rulemaking to the FDA which would request that kratom be regulated as a dietary supplement. The resultant regulation would be subject to notice and comment and would address a range of topics, including dosage, adulteration, health claims, misuse, labeling and misbranding.

The Petition for Rulemaking should also request that related rulemakings be initiated concurrently with the one directed towards regulating kratom as dietary supplement, including the following directives which are to be in force until which time the aforementioned rulemaking is completed:

1. Cease FDA inspections and seizure of product based upon the conclusion that kratom is a NDI, new dietary ingredient.
2. Terminate seizure of product by customs officials.
3. Issue a directional notice to the financial industry to process billings related to the shipment of kratom.

The FDA has decades of experience in the regulation of dietary supplements. The FDA has the resources and technical capability to address issues raised by the DEA

with respect to kratom. Consequently the initiation of a rulemaking will provide an analytical forum for addressing topics of concern; a forum where sound science will be the prevailing metric.

CRE has an Interactive Public Docket titled The Kratom Policy Forum at <http://www.thecre.com/forum11/>; members of the public are encouraged to express their views on the regulation of kratom as a dietary supplement.

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