Louis W. Blessing III

State Senator
8th Senate District
1 Capitol Square
Columbus, Ohio 43215
(614) 466-8068

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Chairman Roegner, Vice Chair Gavarone, Ranking Member Blackshear and members of the Senate General Government Committee. I appreciate the opportunity to present my sponsor testimony on Senate Bill 299. This bill is similar to Senate Bill 103 which I sponsored in the 135th General Assembly. This legislation seeks to establish kratom product standards, labeling requirements, age restrictions, and rulemaking so consumers can make more informed decisions and so we can protect young Ohioans from the risks associated with this substance.

Senate Bill 299 establishes a much-needed regulatory framework for the sale and distribution of kratom products in Ohio. As a plant-derived substance that has gained significant popularity, kratom is often marketed as a natural supplement for enhancing focus, boosting energy, and managing pain. However, the lack of regulation in our state surrounding this product leaves consumers vulnerable, with no assurance of product safety or quality – a situation that has proven dangerous for multiple unassuming Ohioans.

Kratom is a tree in the coffee family, grown primarily in Southeast Asia. It has a long history of use in its native area and has grown in popularity in North America and Europe over the last several decades. Kratom leaves are typically consumed orally in the form of a tablet, capsule, extract, or ingested as tea. It is estimated that as many as 10 million Americans consume kratom for a variety of reasons. Based on survey data, most kratom consumers use it as an alternative to coffee for its caffeine-like alerting and focusing effects or to improve their mood. There are about 20 – 25% of consumers who use kratom because it addresses some health need and is either more effective or more acceptable than FDA-approved medicines to manage pain or opioid withdrawal. It is important to note: kratom, in its natural state, has no psychedelic, euphoric or hallucinogenic effects, and it does not get users “high”.

Most recently, in Columbus, a young father lost his life when he became addicted to this unregulated substance, resulting in him taking his own life on September 19th, leaving behind two small children and his wife. The goal of this legislation is to prevent tragedies like this one from occurring by creating common-sense regulations that ensure product safety and protect consumers.

SB 299 would establish the following as a means to protecting consumers:

- Require food processing and retail establishments to register kratom products with the Director of Agriculture in order to distribute and sell.
- Would prohibit the sale of synthetic kratom product.
- Prohibits the sale of adulterated or contaminated kratom often referred to as synthetic kratom.

- Require food processing and retail establishments to disclose on labels the basis that it is representing a food as a kratom product.
- Prohibit establishments from selling or distributing kratom products to individuals under 18
- Require the Director of Agriculture and Director of Health to adopt rules regarding kratom products and exempt those rules from requirements governing the elimination of existing regulatory restrictions
- Create a civil cause of action for someone adversely affected by a violation of the kratom product requirements

Importantly, this legislation does not outlaw natural kratom, nor does it impose unreasonable burdens on legitimate businesses. Instead, it guarantees that consumers have access to safe products that are properly labeled, fostering an equitable market where Ohio businesses can operate with transparent and fair guidelines.

Similar Kratom legislation have been passed in Utah, Georgia, Arizona and Nevada. The regulation of kratom products is necessary so that Ohioans can safely consume kratom from food processing and retail establishments for pain management and opioid withdrawal. No regulations on kratom products poses the risk of adulterated kratom and its adverse effects to consumers.

Senate Bill 299 represents a thoughtful and proactive solution. It acknowledges that outright prohibition is not the answer, just as inaction is insufficient. By treating kratom in the same manner as other botanical products, Ohio can prioritize public health while promoting consumer choice and supporting responsible commerce.

This is an issue that is important to many Ohioans and deserves thorough debate in the legislature. It is my hope that this committee will hear from consumers, scientists, and detractors of kratom and determine the best policy for our state. Thank you for your consideration of SB 299. I am happy to answer any questions from the committee.