



AMERICAN KRATOM ASSOCIATION

POLICY BRIEF

Why States Should Adopt a Kratom Consumer Protection Act (KCPA) Protecting Consumers Through Regulation — Not Prohibition

Kratom (*Mitragyna speciosa*) is used by millions of Americans for energy, focus, pain relief, or to ease withdrawal symptoms. Without regulation, however, untested or synthetically altered kratom products pose serious risks to public health. Rather than banning kratom and driving consumers toward unsafe, underground markets, a Kratom Consumer Protection Act (KCPA) establishes a balanced, science-based framework that ensures safety, transparency, and accountability while preserving access for responsible adult consumers.

Regulations work because they replace a chaotic, unmonitored market with clear safety standards and enforceable requirements. When vendors must comply with testing, labeling, and licensing laws, unsafe products disappear from legitimate commerce, consumers gain access to verified information, and enforcement becomes more targeted and effective.

What the KCPA Does: A Strong Regulatory Framework

A well-designed KCPA ensures consumer protection without prohibiting natural kratom. Key provisions include:

- **Ban on adulteration:** No controlled substances or non-kratom synthetic opioids may be added.
- **Prohibition of synthetic 7-OH:** Products with concentrated or synthetic 7-hydroxymitragynine are banned.
- **Testing & COAs:** Independent laboratories must issue Certificates of Analysis verifying alkaloid content (including total mitragynine / 7-OH) and confirming the absence of contaminants such as heavy metals, pathogens, and adulterants.
- **Labeling:** Clear, accurate labeling with manufacturer identity, ingredients, serving size, number of servings, and health warnings.
- **Age restrictions:** Typically 18+ or 21+, plus controlled placement (e.g., behind the counter).

- **Licensing / registration:** Processors and retailers must be licensed or registered for traceability and accountability.

States Leading with KCPA Protections

As of January 2026, 19 U.S. states have adopted KCPA-style protections for kratom, establishing safety standards and enforcement mechanisms that protect both consumers and legitimate businesses. These states are:

(1) Utah; (2) Georgia; (3) Arizona; (4) Nevada; (5) Oregon; (6) Colorado; (7) Oklahoma; (8) Nebraska; (9) Texas; (10) Kentucky ; (11) West Virginia; (12) Virginia ; (13) Maryland ; (14) South Carolina ; (15) Florida ; (16) Mississippi; (17) Rhode Island; (18) New York ; (19) South Dakota.

Adopting a Kratom Consumer Protection Act is the most effective and balanced way for states to protect their citizens. The KCPA replaces unregulated risk with enforceable safeguards—restricting synthetic and adulterated products, mandating testing and transparency, and ensuring responsible access.