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American Kratom Association Commends North Dakota Legislature for Rejecting Total Kratom Ban and Passing Consumer Protection Legislation

House Bill 1628 bans chemically manipulated synthetic kratom derivatives, including 7-OH, while establishing age, labeling, testing, and licensing safeguards for natural kratom leaf

BISMARCK, N.D. — September 4, 2026 — The American Kratom Association today commended the North Dakota Legislative Assembly for passing House Bill 1628, legislation that bans dangerous synthetic kratom derivatives — including chemically manipulated 7-hydroxymitragynine (7-OH), MGM-15, MGM-16, and mitragynine pseudoindoxyl products that have been fraudulently marketed as natural kratom — while preserving regulated adult access to natural kratom leaf products. The bill received final passage Friday morning at the close of the Legislature's three-day special session, and Governor Kelly Armstrong announced that he will sign it.

The Legislature acted decisively on both fronts. The House of Representatives rejected Senate Bill 2408, which would have permanently banned all forms of kratom, in a 46-47 vote. Lawmakers then gave final approval to House Bill 1628, sponsored by Rep. Pat Heinert, which passed the House 86-6, was amended and passed unanimously by the Senate to incorporate the ban on synthetic kratom products, and cleared the House on final passage by a vote of 91-2.

The legislation recognizes the critical distinction between natural kratom leaf and chemically manipulated, semisynthetic, or highly concentrated products containing elevated levels of 7-OH. Those products are not natural kratom and should not be marketed to consumers as though they are.

"North Dakota lawmakers listened carefully to the concerns of consumers, public-health officials, and other stakeholders and chose a responsible path that targets the products creating the greatest risk," said Mac Haddow, Senior Fellow on Public Policy for the American Kratom Association. "The Legislature deserves significant credit for rejecting a blanket ban on natural kratom leaf and instead taking action against the chemically manipulated products that have too often been deceptively marketed under the kratom name."

In addition to banning synthetic and semisynthetic kratom derivatives, House Bill 1628 establishes important consumer protections, including a minimum purchase age of 21; truth-in-labeling requirements with a complete list of ingredients disclosing mitragynine and 7-OH content based on testing by an accredited laboratory approved by the Attorney General; a prohibition on packaging that imitates candy or is marketed in a way that appeals to a child; annual retailer licensing through the Attorney General's Office; and criminal penalties for unlicensed sales.

Under the terms of the governor's announcement, the sale of kratom products in North Dakota remains prohibited until administrative rules implementing House Bill 1628 are in place, at which point the August 3 executive order will be rescinded and compliant natural kratom leaf products may return to the marketplace under the new regulatory framework.



AMERICAN KRATOM ASSOCIATION

Protecting Consumer Access to Safe, Natural Kratom
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"Regulating natural kratom leaf products is a necessary first step toward ensuring that products sold to North Dakota consumers are safely formulated, properly tested, accurately labeled, and restricted to adults," Haddow said. "Responsible consumers deserve confidence that the product they purchase contains what its label says it contains and is not adulterated with dangerous synthetic compounds."

The AKA strongly supports aggressive enforcement against manufacturers and sellers that formulate, distribute, or market synthetic products as natural kratom. Such deceptive practices endanger consumers, undermine responsible businesses, and improperly associate natural kratom leaf with products that have been chemically manipulated to produce substantially different effects.

The AKA will continue working with the North Dakota Legislature, Governor Armstrong, the Attorney General's Office, and other state officials on future actions to:

- Strengthen enforcement against dangerous synthetic and semisynthetic products;
- Ensure effective testing, manufacturing, and labeling standards;
- Prevent products from being marketed in ways that appeal to children;
- Establish practical compliance requirements for responsible manufacturers and retailers; and
- Protect continued adult consumer access to compliant natural kratom leaf products.

"This legislation represents meaningful progress, but implementation and enforcement will determine its success," Haddow added. "The AKA is committed to helping North Dakota establish a durable regulatory framework that removes dangerous synthetic products from the marketplace while protecting responsible adult access to compliant natural kratom leaf."

The American Kratom Association thanks the North Dakota consumers who shared their experiences with lawmakers during the special session. Their testimony helped demonstrate that consumer protection and responsible access are compatible goals.

About the American Kratom Association

The American Kratom Association is a consumer advocacy organization committed to protecting access to safe, natural kratom leaf products and advancing science-based consumer protection standards. AKA supports age restrictions, accurate labeling, contaminant testing, good manufacturing practices, and strong enforcement against adulterated, mislabeled, synthetic, semi-synthetic, concentrated, fortified, or chemically manipulated products falsely marketed as kratom.

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