

HB 2646 A STAFF MEASURE SUMMARY

House Committee On General Government

Action Date: 04/06/21

Action: Do pass with amendments and be referred to Ways and Means. (Printed A-Eng.)

Vote: 4-0-1-0

Yeas: 4 - Lively, Valderrama, Wilde, Zika

Exc: 1 - Leif

Fiscal: Fiscal impact issued

Revenue: No revenue impact

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Meeting Dates: 2/4, 3/4, 3/11, 4/6

WHAT THE MEASURE DOES:

Requires kratom products to be registered with Oregon Department of Agriculture (ODA) and specifies eligibility for product registration. Defines “retailer” as person who sells, distributes, or exposes for sale kratom products for personal consumption. Prohibits retailer from selling or distributing kratom products from kratom processor not registered with ODA, or to individuals under 21 years of age. Directs ODA to adopt rules to establish procedures for kratom product registration including an affidavit certifying regulatory compliance, and procedures by which a person may submit complaints of regulatory violations. Takes effect on 91st day following adjournment sine die.

ISSUES DISCUSSED:

- Provisions of measure
- Product testing
- Contaminated or adulterated products
- Sale to minors

EFFECT OF AMENDMENT:

Replaces the measure.

BACKGROUND:

Kratom (*Mitragyna speciosa*) is a tree native to southeast Asia. Kratom leaves are typically chewed, brewed, or crushed into a bitter green powder and are sold in the United States as pills, capsules, teas, or extracts. Kratom consumption produces stimulant effects in low doses and sedative effects in high doses. Kratom is used recreationally, to treat pain, and for opioid cessation. However, there are few scientific studies on the effects of kratom use or the effectiveness of treatments involving kratom. The U.S. Drug Enforcement Administration lists kratom as a drug of concern and the U.S. Food and Drug Administration warned consumers in September 2019 not to use kratom as it appears to have properties that expose users to the risks of addiction, abuse, and dependence.

House Bill 2646 A requires all kratom products to be registered with Oregon Department of Agriculture (ODA) and specifies eligibility for product registration. The measure defines a kratom “retailer” as person who sells, distributes, or exposes for sale kratom products for personal consumption. The measure also prohibits a retailer from selling or distributing kratom products from a kratom processor not registered with ODA, or to individuals under 21 years of age. Finally, the measure directs ODA to adopt rules to establish procedures for kratom product registration, including an affidavit certifying regulatory compliance and procedures by which a person may submit complaints of regulatory violations.