

26 | intended for human consumption which contains any part of the
27 | leaf of the plant *Mitragyna speciosa* or an extract, synthetic
28 | alkaloid, or synthetically derived compound of such plant and is
29 | manufactured as a powder, capsule, pill, beverage, or other
30 | edible form.

31 | (c) "Processor" means a person who sells, prepares,
32 | manufactures, distributes, or maintains kratom products.

33 | (3) A processor may not sell, prepare, distribute, or
34 | expose for sale a kratom product that:

35 | (a) Does not include directions for the safe and effective
36 | use of the product, including, but not limited to, a suggested
37 | serving size, on the product's packaging or label.

38 | (b) Has a label that contains any claim that the product
39 | is intended to diagnose, treat, cure, or prevent any medical
40 | condition or disease.

41 | (4)~~(3)~~ It is unlawful for a processor to sell, deliver,
42 | barter, furnish, or give, directly or indirectly, any kratom
43 | product to a person who is under 21 years of age.

44 | (5)~~(4)~~ A processor who violates subsection (3) is subject
45 | to an administrative fine of not more than \$500 for the first
46 | offense and not more than \$1,000 for the second or subsequent
47 | offense. A processor selling kratom products at retail does not
48 | violate subsection (3) if it is shown by a preponderance of the
49 | evidence that the processor relied in good faith upon the
50 | representations of a manufacturer, processor, packer, or

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51 distributor of the kratom product ~~A violation of subsection (3)~~
52 ~~is a misdemeanor of the second degree, punishable as provided in~~
53 ~~s. 775.082 or s. 775.083.~~

54 (6)~~(5)~~ The department shall adopt rules to administer this
55 section.

56 Section 2. This act shall take effect July 1, 2024.