

1 **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2 STATE OF OKLAHOMA

3 2nd Session of the 59th Legislature (2024)

4 HOUSE BILL 3574

By: Pae of the House

5 and

6 **Prieto** of the Senate

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9 AS INTRODUCED

10 An Act relating to public health and safety; amending  
11 63 O.S. 2021, Section 1-1432.4, which relates to the  
12 Oklahoma Kratom Consumer Protection Act; requiring  
additional information when labeling kratom products;  
and providing an effective date.

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15 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

16 SECTION 1. AMENDATORY 63 O.S. 2021, Section 1-1432.4, is  
17 amended to read as follows:

18 Section 1-1432.4 A. A vendor shall not prepare, distribute,  
19 sell or expose for sale any of the following:

20 1. A kratom product that is adulterated with a nonkratom  
21 substance. A kratom product is adulterated with a nonkratom  
22 substance if the kratom product is mixed or packed with a nonkratom  
23 substance and that substance affects the quality or strength of the  
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1 kratom product to such a degree as to render the kratom product  
2 injurious to a consumer;

3 2. A kratom product that is contaminated with a dangerous  
4 nonkratom substance. A kratom product is contaminated with a  
5 dangerous nonkratom substance if the kratom product contains a  
6 substance that is not safe for human consumption;

7 3. A kratom product containing a level of 7-hydroxymitragynine  
8 in the alkaloid fraction that is greater than two percent (2%) of  
9 the alkaloid composition of the product;

10 4. A kratom product containing any synthetic alkaloid including  
11 synthetic mitragynine, synthetic 7-hydroxymitragynine or any other  
12 synthetically derived compounds of the kratom plant; or

13 5. A kratom product containing any controlled substance listed  
14 in the Uniform Controlled Dangerous Substances Act, unless the  
15 product is compounded by a licensed pharmacist with the controlled  
16 substance dispensed in accordance with a valid prescription.

17 B. Kratom products shall be accompanied by a label, or a quick  
18 response (QR) code on the product label linked to a website, bearing  
19 the following information prior to its sale in this state:

20 1. A list of the ingredients, which shall include the common or  
21 usual name of each ingredient used in the manufacture of the  
22 product, listed in descending order of predominance;

23 2. That the sale or transfer of kratom to a person under  
24 eighteen (18) years of age is prohibited;

1 3. The amount of mitragynine and 7-hydroxymitragynine contained  
2 in the product;

3 4. The amount of mitragynine and 7-hydroxymitragynine contained  
4 in packaging for the product;

5 5. The name and the principal street address of the vendor or  
6 the person responsible for distributing the product;

7 6. ~~The suggested~~ Clear and adequate directions for the  
8 consumption and safe and effective use of the such product,  
9 including the recommended serving size, the number of servings in  
10 the container, the number of servings that can be safely consumed in  
11 a day, and the time frame within which safe consumption should  
12 occur; and

13 7. Any precautionary statements as to the safety and  
14 effectiveness of the product, including a warning that a consumer  
15 should consult his or her physician on questions about use of  
16 kratom, and state that the kratom product is not intended to  
17 "diagnose, treat, cure, or prevent any disease"; and

18 8. A statement that a kratom product label is prohibited from  
19 making any therapeutic claims unless approved by the United States  
20 Food and Drug Administration.

21 C. A vendor may not distribute, sell or expose for sale a  
22 kratom product to an individual under eighteen (18) years of age.  
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1 D. Upon request by the State Department of Health, the vendor  
2 shall provide test results from a United States-based testing  
3 facility to confirm the items listed on the product label.

4 SECTION 2. This act shall become effective November 1, 2024.

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6 COMMITTEE REPORT BY: COMMITTEE ON ALCOHOL, TOBACCO AND CONTROLLED  
7 SUBSTANCES, dated 02/14/2024 - DO PASS, As Coauthored.

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