

By: Representative Yancey

To: Rules

## HOUSE CONCURRENT RESOLUTION NO. 45

1 A CONCURRENT RESOLUTION URGING THE UNITED STATES FOOD AND  
2 DRUG ADMINISTRATION TO PROTECT AMERICAN CONSUMERS WITH RESPONSIBLE  
3 KRATOM REGULATION.

4 WHEREAS, it is the policy of the State of Mississippi and its  
5 local governments to ensure the safety of consumers using products  
6 to protect and maintain their well-being; and

7 WHEREAS, the United States Department of Health and Human  
8 Services (HHS) has formally rescinded the recommendation to  
9 classify kratom as a Schedule I substance under the federal  
10 Controlled Substances Act because the Food and Drug Administration  
11 (FDA) failed to provide the evidence to meet the required criteria  
12 for scheduling under the act; and

13 WHEREAS, HHS has found there is a significant risk of  
14 immediate adverse health consequences for potentially millions of  
15 Americans, including tens of thousands of Mississippi citizens, if  
16 kratom were included in Schedule I; and

17 WHEREAS, HHS specifically identified that any ban on kratom  
18 would force kratom consumers to switch to highly lethal opioids,



19 including potent and deadly prescription opioids, heroin, and/or  
20 fentanyl, risking thousands of deaths from overdoses and  
21 infectious diseases associated with IV drug use; and

22 WHEREAS, Mississippi has lost thousands of its citizens to  
23 the scourge of the opioid overdose epidemic; and

24 WHEREAS, peer-reviewed published surveys show that among  
25 kratom consumers in the United States, one-third use kratom for an  
26 energy boost and increased focus, one-third use kratom for its  
27 relaxing effects and reduction of anxiety, and one-third use it to  
28 manage acute and chronic pain, including as a replacement for  
29 highly addictive and potentially deadly opioids; and

30 WHEREAS, peer-reviewed published literature, including from  
31 researchers from Johns Hopkins University, have concluded that  
32 kratom can relieve opioid withdrawal symptoms among those using  
33 kratom to treat opioid dependence, and 35% were free from opioids  
34 within a year; and

35 WHEREAS, the National Institutes on Drug Abuse (NIDA), HHS,  
36 the FDA, and the United States Congress all concur that  
37 unregulated adulterated kratom products laced with heroin,  
38 morphine, or fentanyl put consumers at significant risk, including  
39 death:

40 NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF  
41 REPRESENTATIVES OF THE STATE OF MISSISSIPPI, THE SENATE CONCURRING  
42 THEREIN, That we urge the United States Food and Drug  
43 Administration to immediately publish good manufacturing



44 guidelines for kratom manufacturers that will restrict  
45 adulteration, ban synthetic enhancement of kratom's natural  
46 alkaloid contents to alter the overall alkaloid fraction present  
47 in the natural plant, and require appropriate labeling of kratom  
48 products to protect consumers.

49 BE IT FURTHER RESOLVED, That copies of this resolution be  
50 furnished to the members of Mississippi's Congressional  
51 Delegation, the Secretary of the Department of Health and Human  
52 Services, the Commissioner of the Food and Drug Administration,  
53 the President of the United States and to the members of the  
54 Capitol Press Corps.

