MISSISSIPPI LEGISLATURE REGULAR SESSION 2021

By: Senator(s) McDaniel, Sojourner

To: Rules

SENATE CONCURRENT RESOLUTION NO. 539

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

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

WHEREAS, the United States Department of Health and Human Services (HHS) has formally rescinded the recommendation to classify kratom as a Schedule I substance under the federal Controlled Substances Act because the Food and Drug Administration (FDA)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

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

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

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

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

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

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

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

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

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

BE IT FURTHER RESOLVED, That this resolution be transmitted to the members of Mississippi's congressional delegation, the Secretary of the Department of Health and Human Services, the Commissioner of the Food and Drug Administration, the President of the United States, and made available to the Capitol Press Corps.