

1 ENGROSSED SENATE  
2 BILL NO. 1639

By: Prieto and Bullard of the  
Senate

3 and

4 Pae of the House  
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7 An Act relating to kratom products; amending 63 O.S.  
8 2021, Section 1-1432.4, which relates to labeling  
9 requirements; modifying and adding labeling  
requirements for kratom products; and providing an  
effective date.  
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11 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

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

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

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

22 2. A kratom product that is contaminated with a dangerous  
23 nonkratom substance. A kratom product is contaminated with a  
24

1 dangerous nonkratom substance if the kratom product contains a  
2 substance that is not safe for human consumption;

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

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

9 5. A kratom product containing any controlled substance listed  
10 in the Uniform Controlled Dangerous Substances Act, unless the  
11 product is compounded by a licensed pharmacist with the controlled  
12 substance dispensed in accordance with a valid prescription.

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

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

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

21 3. The amount of mitragynine and 7-hydroxymitragynine contained  
22 in the product;

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

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

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

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

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

17        C. A vendor may not distribute, sell or expose for sale a  
18 kratom product to an individual under eighteen (18) years of age.

19        D. Upon request by the State Department of Health, the vendor  
20 shall provide test results from a United States-based testing  
21 facility to confirm the items listed on the product label.

22        SECTION 2. This act shall become effective November 1, 2024.  
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1 Passed the Senate the 4th day of March, 2024.

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4 Presiding Officer of the Senate

5 Passed the House of Representatives the \_\_\_\_ day of \_\_\_\_\_,  
6 2024.

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9 Presiding Officer of the House  
10 of Representatives