

Article - Health - General

[\[Previous\]](#)[\[Next\]](#)

§21-2E-03.

(a) A retailer may not directly or indirectly advertise a therapeutic benefit of kratom.

(b) A retailer may not directly or indirectly advertise or market kratom products to minors.

(c) It is a violation of subsection (b) of this section for a retailer to use any of the following in the advertising, promotion, packaging, or labeling of a kratom product:

(1) A cartoon;

(2) A superhero;

(3) A video game reference;

(4) An image of a food product primarily intended for minors;

(5) A trademark that imitates or mimics the trademark of a product that has been advertised or marketed primarily to minors;

(6) A symbol or celebrity that is primarily associated with minors or media primarily directed to minors; and

(7) An image of an individual who appears to be under the age of 27 years.

(d) It is a violation of subsection (b) of this section for a retailer to advertise or promote a kratom product:

(1) In a newspaper, a magazine, a periodical, or any other publication for which individuals under the age of 21 years constitute 15% or more of the total audience, as measured by competent and reliable survey evidence;

(2) At a concert, a stadium, a sporting event, or any other public event for which individuals under the age of 21 years constitute 15% or more of the total audience, as measured by competent and reliable survey evidence; or

(3) On an outdoor billboard or sign board that is within 500 feet of a school.

[\[Previous\]](#)[\[Next\]](#)