

**Submitted: 03/03/2026**

## **Public Comment Regarding Maryland Bill SB0820**

***Sean R. Swartzwelder***

Dear Chair, Vice Chair, and Members of the Finance Committee,

My name is Sean Swartzwelder, and I am a Maryland resident living in Frederick County. I respectfully submit this testimony in opposition to **Senate Bill 820**.

**I am particularly concerned with the provisions under Section 1–323, specifically page 5, lines 4–6, which state that “a retailer may not distribute, sell, expose for sale, or advertise for sale an unauthorized consumable product.”** This provision, combined with the inclusion of Kratom products under the definition of “unauthorized consumable products” on page 4, lines 15–26, would significantly restrict access to Kratom for responsible adult consumers like myself.

Additionally, page 5, lines 6–17 authorize the state to seize, confiscate, or destroy Kratom products, and page 5, lines 25–27 establishes criminal misdemeanor penalties for retailers, including fines of up to \$5,000. Page 9, lines 5–10 further establishes the possibility of imprisonment for retailers.

**These enforcement provisions would have a chilling effect on retailers and would likely eliminate access to Kratom in Maryland, even for responsible adult consumers who rely on it for legitimate personal medical use, especially for chronic pain condition management.**

**In addition, I am deeply concerned about the provision in Health – General § 21–2E–02(a)(2)(ii), found on page 8, lines 1–4, which states that a retailer may not sell a Kratom product that “has not been recognized as a dietary ingredient or approved drug by the U.S. Food and Drug Administration.”** Currently, no Kratom products are approved by the FDA as drugs, nor formally recognized as dietary ingredients. As a result, this provision would effectively prohibit the legal sale of all Kratom products in Maryland, creating a de facto ban. This would eliminate access for responsible adult consumers like myself who rely on Kratom as a safer alternative for managing chronic pain.

As someone diagnosed with Fibromyalgia, Kratom has played an important role in helping me manage chronic pain. It has allowed me to avoid opioid medications, which carry a far greater risk of dependency and harm in their safety profile. Kratom has enabled me to maintain my quality of life, continue working as a Professional Chef, and function much more normally.

Scientifically and medically, research on Kratom has shown a safety profile with significantly less likelihood and incidence of Respiratory Depression and Overdose, the two main causes of death and adverse medical events in traditional opioid medications and products. Kratom acts on the brain differently, according to experts, in that it is a *partial opioid agonist* and *NOT an opioid in the traditional sense* in the way it acts on the body and brain. This has been the number one reason I have chosen Kratom products for relief of my symptoms.

**I would like to include in my testimony that I fully and strongly support reasonable regulation to ensure product safety and purity, proper labeling, and age restrictions. However, policies that effectively eliminate access by criminalizing retailers will harm responsible consumers who depend on Kratom as a safer alternative to traditional opioids.**

**I respectfully urge the committee to oppose SB 820 in its current form and instead consider regulatory approaches that ensure safety while preserving access for responsible adult consumers.**

Thank you for your time and consideration.

Respectfully Submitted,

*Sean R. Swartzwelder*  
*Frederick County, Maryland*