



March 3, 2026

Senator Pamela Beidle, Chair
Senator Antonio Hayes, Vice Chair
Senate Finance Committee
3 East Miller Senate Office Building
Annapolis, Maryland 21401

Delegate Heather Bagnall, Chair
Delegate Bonnie Cullison, Vice Chair
House Health Committee
241 Taylor House Office Building
Annapolis, Maryland 21401

RE: Support for SB 820 and HB 1523

Dear Chair Beidle and Vice Chair Hayes and Chair Bagnall and Vice Chair Cullison:

I am providing testimony on behalf of Shatterproof, a national nonprofit organization dedicated to building a world where addiction never defines or ends a life.

Shatterproof strongly supports Senate Bill 820 and House Bill 1523, which would define unauthorized consumable products in Maryland statute to include kratom, 7-hydroxymitragynine (7-OH), tianeptine, phenibut, and related substances. These bills would prohibit their sale and marketing while empowering authorities with clear enforcement tools, including seizure and sanction provisions.

Youth Access and Consumer Deception

These unregulated products are readily available in youth-accessible venues such as convenience stores, gas stations, vape shops, smoke shops, and online retailers. Kratom products are often flavored, highly concentrated, and packaged to resemble energy drinks or dietary supplements. Marketing frequently implies legality, safety, or therapeutic benefits—despite lacking FDA approval. This pattern echoes past public health crises involving synthetic cannabinoids and other novel psychoactive substances, where delayed regulation led to widespread youth exposure.

Beyond immediate short-term risks, research links youth kratom use to long-lasting cognitive and behavioral deficits.¹ Synthetic variants like 7-OH (7-hydroxymitragynine) are especially concerning. Scientific analyses show that 7-OH acts on the same opioid receptors as morphine and other opioids, producing similar effects: pain relief, euphoria, sedation, dependence, and withdrawal. Laboratory studies indicate 7-OH is up to 13 times more potent than morphine on a per-molecule basis. While present in trace amounts in natural kratom leaf, today's market features concentrated or synthetic 7-OH at far higher levels—sold without prescriptions, standardized dosing, manufacturing oversight, or quality control. These conditions dramatically elevate risks of overdose and dependence.



Rising Harm and Public Health Impact

National data highlight escalating dangers:

- Poison control centers reported 1,690 kratom-related exposures in the first seven months of 2025—already surpassing all of 2024—with 35% of 7-OH cases involving severe outcomes.ⁱⁱ
- EMS encounters for kratom/7-OH overdoses exceeded 4,200 nationwide from 2023 through early 2025.ⁱⁱⁱ

Clinicians and addiction treatment providers increasingly report dependence on high-potency kratom and 7-OH products. Withdrawal symptoms mirror opioid withdrawal: muscle aches, insomnia, nausea, anxiety, irritability, and intense cravings. Polysubstance use involving these compounds heightens overdose severity and medical risks.

FDA Warnings and Enforcement

The FDA has repeatedly warned that kratom and its alkaloids are not approved for any medical use and do not qualify as lawful dietary supplement ingredients. The agency has issued warning letters, import alerts, and public advisories citing risks of addiction, overdose, and death. In late 2025, the FDA executed a major enforcement action, seizing thousands of units of concentrated 7-OH products from firms—including those operating as American Shaman/Shaman Botanicals—valued at approximately \$1 million.

State, National, and International Regulatory Trends

Growing recognition of these risks has prompted action:

- Kratom is classified as a controlled substance in numerous countries, including Malaysia (its natural origin).^{iv}
- As of late 2025/early 2026, kratom is fully banned in at least seven states (Alabama, Arkansas, Indiana, Louisiana, Vermont, Wisconsin, and others with recent bans or emergency rules), while several impose heavy restrictions or limits on 7-OH concentrations. Additional states and cities (e.g., Denver, San Diego, Sarasota) have enacted local prohibitions. Many more regulate sales, age limits, labeling, or potency. Multiple states are actively considering stricter measures in 2026.

These trends reflect consensus that unregulated kratom and synthetic derivatives pose risks comparable to other controlled psychoactive substances.

Other Substances: Phenibut and Tianeptine

Kratom has garnered significant attention, but phenibut and tianeptine—also sold openly at gas stations, vape shops, and grocery stores—pose similar threats. The heartbreaking testimony from Jim and Cindy Alvey of Columbia, Maryland, details the devastating impact these products had on



their son, JT. As they powerfully stated, these substances—often called “gas station heroin”—offer no medical value, are highly addictive, and should be classified as Schedule I or II (as in Alabama and Utah) or banned outright.

We are grateful for the Alveys' courage in sharing their story—and deeply troubled that such circumstances were possible in Maryland.

Conclusion

Maryland must prioritize the health and safety of our children and communities. By adding these dangerous, unregulated substances to the unauthorized consumable products list and providing robust enforcement, we can prevent retailers from targeting vulnerable populations, reduce the normalization of substance use among youth, and protect families from unintended exposure.

Shatterproof urges the Committee to pass Senate Bill 820 and House Bill 1523. This critical policy change will help safeguard Marylanders from these emerging threats.

Thank you for your time and consideration. I welcome any questions.

Sincerely,

Kevin Roy

Kevin Roy
Chief Public Policy Officer
Shatterproof

CC: Delegate Ross

ⁱ Farah Wahida Suhaimi, Aiman Nadhirah Zul Aznal, Nurul Aqmar Mohamad Nor Hazalin, Lay Kek Teh, Zurina Hassan, Mohd Zaki Salleh, Kratom (*M. speciosa*) exposure during adolescence caused long-lasting cognitive behavioural deficits associated with perturbed brain metabolism pathways in adult rats, *Behavioural Brain Research*, Volume 446, 2023, 114411, ISSN 0166-4328, <https://doi.org/10.1016/j.bbr.2023.114411>.

ⁱⁱ Health Advisory: Serious Illnesses Associated with 7-OH Use, *August 12, 2025, Shauna Devitt (Administrator)* <https://poisoncenters.org/news-alerts/13531044>

ⁱⁱⁱ National Drug Early Warning System (NDEWS). (2025). Special Report (May 30, 2025). (NDEWS-2025-SR00028.5). Retrieved from 5.30.25_NDEWS-2025-kratom-related-overdoses

^{iv} Ohio Board of Pharmacy, <https://www.pharmacy.ohio.gov/documents/pubs/special/kratom/classification%20of%20mitragynine-related%20compounds%20as%20schedule%20i%20controlled%20substances%20-%20emergency%20rule.pdf>