

1 A bill to be entitled
 2 An act relating to the Florida Kratom Consumer
 3 Protection Act; creating s. 500.92, F.S.; providing a
 4 short title; defining the term "kratom product";
 5 prohibiting the sale, delivery, bartering, furnishing,
 6 or giving of any kratom product to a person under 21
 7 years of age; providing civil penalties; requiring the
 8 Department of Agriculture and Consumer Services to
 9 adopt rules; providing an effective date.

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Be It Enacted by the Legislature of the State of Florida:

Section 1. Section 500.92, Florida Statutes, is created to read:

500.92 Florida Kratom Consumer Protection Act.-

(1) This section may be cited as the "Florida Kratom Consumer Protection Act."

(2) As used in this section, the term "kratom product" means a food product, food ingredient, dietary ingredient, dietary supplement, or beverage intended for human consumption which contains any part of the leaf of the plant *Mitragyna speciosa* or an extract, synthetic alkaloid, or synthetically derived compound of such plant and is manufactured as a powder, capsule, pill, beverage, or other edible form.

(3) It is unlawful to sell, deliver, barter, furnish, or

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26 | give, directly or indirectly, any kratom product to a person who
27 | is under 21 years of age.

28 | (4) Any retail food store, food establishment, or cottage
29 | food operation who violates subsection (3) is subject to an
30 | administrative fine of not more than \$100 for a first offense,
31 | not more than \$500 for a second offense, and not more than
32 | \$1,000 for a third or subsequent offense.

33 | (5) The department shall adopt rules to administer this
34 | section.

35 | Section 2. This act shall take effect July 1, 2023.