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LEGISLATIVE ACTION

Senate	.	House
Comm: RS	.	
03/25/2025	.	
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The Committee on Commerce and Tourism (Collins) recommended the following:

**Senate Amendment (with title amendment)**

Delete lines 77 - 189

and insert:

Mitragyna speciosa in any form.

(d) "Kratom beverage" means a prepackaged liquid kratom product in the form of a tea, seltzer or tonic water, or tincture.

(e) "Kratom food service establishment" means any public food service establishment licensed as provided in chapter 509



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which sells finished kratom products.

(f) "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 consumable ~~edible~~ form.

(g) "Processor" means a person who manufactures, delivers, offers for sale, distributes, or sells kratom products.

(3) PRODUCT REQUIREMENTS.—A processor may not manufacture, deliver, offer for sale, distribute, or sell a finished kratom product that:

(a) Is not one of the following approved delivery forms:

1. Dried leaf;

2. Kratom beverage;

3. Powder;

4. Pill;

5. Liquid dietary supplement;

6. Gummy or food that are not attractive to children; or

7. Capsule.

(b) Contains or is adulterated with synthesized or semi-synthesized kratom alkaloids or kratom constituents.

(c) Contains a level of 7-hydroxymitragynine in the alkaloid fraction which is greater than 2 percent of the alkaloid composition of the kratom product.

(d) Is not registered with the department pursuant to this section.

(e) Does not have a certificate of analysis submitted to



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the department as required by this section.

(f) Does not include directions for consumption of the kratom product on the product's label, including, but not limited to:

1. Maximum dosage of 40 milligrams of mitragynine per serving;

2. Number of servings per package;

3. Milligrams of 7-hydroxymitragynine and mitragynine per serving;

4. A warning advising consumers of the number of servings that may be safely consumed in a 24-hour period;

5. A warning prohibiting use by individuals who are under 21 years of age;

6. A warning advising against use by individuals who are pregnant or breastfeeding;

7. A warning advising the consumer to consult a health care professional before use, that the product may be habit-forming, and that it may cause adverse health effects;

8. A warning stating the following: "These statements have not been evaluated by the United States Food and Drug Administration. This product is not intended to diagnose, treat, cure, or prevent any disease.";

9. The expiration date; and

10. The name and place of business of the registrant.

(g) Does not comply with the packaging and labeling requirements set forth in this chapter and the rules adopted pursuant thereto. Such kratom products are considered misbranded.

(h) Is extracted using solvents other than water or Class 3



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solvents set forth in USP-NF chapter 467.

(i) Contains levels of Class 3 solvents greater than the limits set forth in USP-NF chapter 467.

(j) Is attractive to children.

(k) Is in a container that:

1. Is not suitable to contain products for human consumption; or

2. Is not compliant with the United States Poison Prevention Packaging Act of 1970, 15 U.S.C. ss. 1471 et seq.

3. Does not contain a graduated measuring device, if applicable.

(l) Is adulterated, including containing metals, pesticides, or pathogens in excess of the limits set by this section or department rule.

~~(4)-(3)~~ AGE RESTRICTION.—It is unlawful to sell, deliver, barter, furnish, or give, directly or indirectly, any kratom product to a person who is under 21 years of age.

(5) PERMIT AND FEDERAL REGISTRATION REQUIREMENTS FOR PROCESSORS.—

(a) Kratom products may only be manufactured by, delivered to, offered for sale by, distributed by, or sold by a processor who holds a permit to operate as a food establishment as defined in s. 500.03 or a convenience store or kava or kratom bar that does not prepare, serve, or sell other food products besides kratom products is not considered cottage food operations. A processor may not operate as a cottage food operation pursuant to s. 500.80 and is not exempt from food permit requirements pursuant to s. 500.12(1)(a)1.

(b) A processor that manufactures, processes, packs, or



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offers for sale kratom, kratom products, or finished kratom products must be properly registered with the United States Food and Drug Administration. Processors exclusively selling finished kratom products at retail are not required to register with the United States Food and Drug Administration.

(6) REGISTRATION.—

(a) A processor shall certify by sworn statement that any finished kratom product it manufactures, delivers, offers for sale, distributes, or sells in this state is registered with the department and does not contain dangerous or harmful substances, including, but not limited to, red-OH, synthetic 7-OH, synthetic 7-hydroxymitragynine, synthetic mitragynine, pseudoindoxyl, super alkaloid, or any other synthetically derived compounds, synthetic alkaloids, or controlled substances. Such registration must be renewed annually.

(b) A processor shall assume all responsibility and liability for its kratom, kratom product, or finished kratom product.

(c) For each batch of a registered finished kratom product, the processor shall retain and submit, upon request, a certificate of analysis to the department from an accredited laboratory affiliated with a university based in Florida. The laboratory must be accredited under the International Organization for Standardization (ISO)/International Electrotechnical Commission (IEC) 17025:2017 General Requirements for Competence of Testing and Calibration Laboratories standard by an accreditation body that is a signatory to the International Laboratory Accreditation Cooperation Mutual Recognition Arrangement or a subsequent



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127 arrangement. The processor may

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129 ===== T I T L E   A M E N D M E N T =====

130 And the title is amended as follows:

131       Delete line 20

132 and insert:

133       processor of a finished kratom product to retain and

134       submit a