

February 5, 2026

Local Government and Public Health Leaders,

On behalf of the leadership of the Montana Legislature, we are writing to clearly communicate the Legislature's commitment to a science-based, consumer-focused policy regarding kratom and kratom-related products, and to provide guidance as local jurisdictions consider actions in this area.

The Montana Legislature is committed to protecting Montana citizens in two critically important ways.

First, the Legislature is committed to ensuring continued access for adults to safely formulated, properly labeled, and age-restricted natural kratom products. Montana citizens have the right to make informed and responsible decisions about the dietary and botanical supplements they choose to use to maintain their health and well-being. Any regulatory framework adopted by the State will be designed to protect consumers while preserving lawful access to compliant kratom products that meet clear safety, manufacturing, labeling, and age-restriction standards.

Second, the Legislature is equally committed to ensuring that bad actors selling dangerously formulated synthetic, semi-synthetic, or chemically manipulated products—including products marketed as or containing 7-hydroxymitragynine (7-OH), pseudoindoxyl, and MGM-15/16 — are not permitted to do business in Montana. These products are fundamentally different from natural kratom leaf products, pose distinct safety risks, and warrant a focused regulatory response.

To that end, the Montana Legislature has already begun formal hearings and legislative review of a comprehensive kratom regulatory regimen that will meet these objectives. This process is ongoing, deliberate, and grounded in current scientific evidence, federal findings, and best practices for consumer protection.

We urge local governments and public health agencies to respect and align with this legislative process, and to recognize the clear and well-established distinction — now adopted at the federal level — between natural kratom leaf products and chemically manipulated opioid-like substances derived from or associated with kratom alkaloids. Both the U.S. Department of Health and Human Services and the U.S. Food and Drug Administration have made clear that the current focus of concern is on chemically manipulated 7-OH products, not on traditional kratom leaf products consumed by adults.

Most importantly, this issue must be decided by the science. That question has been resolved at the federal level through extensive review, updated research, and public health analysis. It is therefore inappropriate for local government entities or health

agencies to rely on outdated, incomplete, or deliberately misstated evidence to justify restrictive policies that interfere with the rights of Montana citizens to make informed, lawful choices regarding dietary and botanical supplements.


Local actions that ignore current science, conflate fundamentally different substances, or attempt to substitute local judgment for an active state legislative process risk creating confusion, undermining consumer safety, and exceeding appropriate local authority.


We strongly encourage all local jurisdictions to:

- Recognize the distinction between natural kratom leaf products and chemically manipulated opioid-like substances;
- Avoid reliance on outdated or discredited evidence;
- Refrain from enacting local policies that preempt or conflict with the Legislature's ongoing work; and
- Allow the State of Montana to complete its science-based regulatory framework to protect consumers and public health.

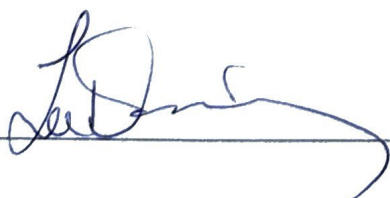
The Montana Legislature remains committed to protecting public health, consumer safety, and individual freedom — guided by evidence, not misinformation.

Respectfully,

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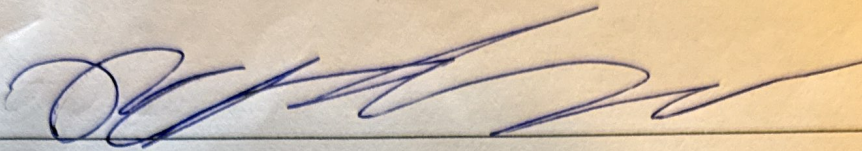
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