



State of Rhode Island
DEPARTMENT OF BUSINESS REGULATION
1511 Pontiac Avenue, Bldg. 69-2
Cranston, Rhode Island 02920

Director's Office

March 14, 2024

Chairman Joseph J. Solomon, Jr.
House Committee on Corporations

Re: H7231 – An Act Relating to Food and Drugs – Kratom Consumer Protection Act

Dear Chairman Solomon:

I am writing on behalf of the Department of Business Regulation (“DBR”) with concerns regarding H7231 that prevents Kratom from being listed on Schedule 1 of the Uniform Controlled Substances Act and authorizes DBR to prosecute Kratom processors or retailers that sell adulterated or contaminated Kratom products.

While DBR’s jurisdiction is broad and diverse and we have regulatory expertise in many areas, the subject matter of this legislation and expertise required to implement it places it squarely within the existing jurisdiction of RIDOH over food and drugs.

Accordingly, DBR defers to RIDOH’s policy judgement on the proposed subject matter. DBR does not have the ability to regulate Kratom, and any such licensure and regulatory authority and jurisdiction should remain within RIDOH’s purview.

Please advise if you have any questions or comments on these suggestions. Please do not hesitate to contact me at elizabeth.dwyer@dbr.ri.gov or 401.462.9615 (office) or 401.578.6653 (mobile).

Thank you for your consideration.

Sincerely,

Elizabeth Kelleher Dwyer, Esq.
Director

cc. Honorable Members of the House Committee on Corporations
Honorable John G. Edwards
Nicole McCarty, Esq., Chief Legal Counsel to the Speaker of the House